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ELEMENTS OF CIVICS

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PREFACE

This book embodies the result of many years of thought and teaching experience. There are many nice books on the subject but a teacher may be forgiven, I think, if he feels the temptation to say something on his own account. At any rate I believe that it is desirable to include some new matter without which the study of Civics is incomplete. I have, therefore, written the chapters on 'Human Nature', 'The Social and Economic Background' and 'Religion'.

What the book owes to great writers will be clear from every page. I have gained greatly not merely by reading the books of Prof. Laski but by attending the stimulating and luminous lectures with which he regales his students at the London School of Economics. My debt to him is profound. Next to him stands Bertrand Russell for whom I have great admiration and whose views on all subjects seem to be so eminently reasonable. I have derived much help and inspiration from the Lectures of Mrs. Besant and from Lala Har Dayal's 'Hints for Self-culture'.

Nearer home, I would like to express my sense of obligation to Professor R. P. Pandey of the Victoria College, Gwalior, who read through the book and made some useful suggestions. I am indebted also to the Manager of the Indian Press Ltd., for the fine and careful printing of the book.

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PRAKASH CHANDRA

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CHAPTER I

CIVICS AND ITS RELATION WITH OTHER SOCIAL SCIENCES

Definition and subject-matter of Civics.

Civics is the science of citizenship. It studies man in relation to his fellow-men and to the State of which he is a member. What sort of attitude he should adopt towards his neighbours, to what extent he should subordinate his own interest to that of the community, why if at all he must pay due obedience to the Government of his country, of all the forms of Government which one is the best, what duty he owes to the world,—are some of the prominent questions which form the subject-matter of Civics.

Civics a new subject.

It may be asked, whether this kind of knowledge may not be taught through existing subjects, or, is it of such special nature as to give rise to a new subject, called 'Civics'? There are many who believe that all that is necessary to produce the right type of citizens, is to teach such old subjects as history, geography and economics in the proper way. History, for instance, if rightly handled, should teach the child the lesson that it is only by slow and painful stages that man has emerged from the state of barbarism, that it is far easier to quarrel than to compose differences, that social progress consists in the formation of larger and larger groups of men learning to live and to act together; that no man lives to himself alone, but each depends on his fellows. Thus under-

stood, history should lay the foundation of national unity and international co-operation. Geography, if properly taught, can do the same. It need not confine itself purely to a description of the physical and economic features of a country, but pay adequate attention to the political and cultural sides also. It is easy to see how respect for our neighbours will be enhanced if, in addition to knowing what goods we buy from them, we are made aware of the contribution which they have made to the world's civilization.

All this is true, but it may be urged that something beyond this is needed, something more definite and more practical. For a long time, no such subject as 'Civics' figured in the school or college curriculum. It was hoped that a liberal education would, of itself, secure the end in view. But a realization has now come that a conscious effort must be made to train the young people for the public duties of citizenship.

Scope of Civics.

If democracy is to take firm root, our educational system must be so remodelled as to produce men and women who are lovers of freedom, jealous of their rights, but at the same time eager for social service. An account of the rights and obligations of the citizen; a firm grasp of the nature of the individual and society; some analysis of the machinery of a modern State; some discussion of the problems of national and local administration; a study of the functions of the legislature and the judiciary—all this may be expected to provide a direct and effective approach to the problem of citizenship. The purpose of Civics is to collect such information as may

be found to be embedded in other sciences, and to deduce from it such principles as may prove useful for the right conduct of life. It does not aim at the creation of scholars and experts but of citizens with a working map of the social and political world in their heads. a map which can enable them, to occupy their proper place in society.

Importance of Civics.

The teaching of Civics, desirable as it is in all countries is even more important in India. For a long time the country has been in subjection, and it is not very long ago when democratic institutions were introduced. These cannot be successfully worked unless the people have the requisite knowledge and capacity. The aim of Civics is to provide such knowledge and to develop such qualities.

What Science is. ?

Civics is a science in the sense in which all knowledge, systematically arranged, is science. The peculiar feature of science is that it presents its subject-matter in such a way that the inter-relationship and mutual dependence of its various parts is clear throughout so much so that it is possible on the basis of it to draw certain general conclusions. It is possible to accomplish this because of the three well-known processes, which lie at the basis of all scientific studies,—observation, classification and verification. To take an illustration from astronomy, it is necessary, first of all, to observe the movement of the heavenly bodies carefully and then to classify the knowledge so gained. An

CIVICS

should enable us to avoid the mistakes committed by others. The following are some of the practical lessons, drawn from Civics, whose bearing on human life is perfectly obvious :—

- (1) Personal rule is a curse. Government by a representative assembly is the only safeguard against despotism.
- (2) The maximum of personal freedom is essential for social progress.
- (3) Self denial and the simple life are necessary for the success of new movements.
- (4) Economic inequality leads to disorder or stagnation.
- (5) Imperialism always involves a great deal of injustice and cruelty and does harm to both the parties.

Civics and its relation with other Social Sciences.

As Civics is a social science, it is naturally related to other social sciences, such as Sociology, Politics, History, Economics and Ethics. All these centre round the study of man, and though, for the sake of convenience, it is desirable to concentrate attention on some particular phase of his activity at a time, it is not possible altogether to isolate him. The consequence is that, though each of these sciences has a well-worked field of its own, they imperceptibly shade off into one another.

Civics and Sociology.

Sociology may be called the general science of man, from which flow the rest of the social sciences. It is a

vast science which deals with all sorts of human associations; with their origin, development, forms and functions. It concerns itself with the origin of races, religions, superstitions, customs and law. It traces the evolution of the present organisation of society through its tribal forms, and devotes much space to a discussion of such institutions as marriage, the family, the caste system. As Sociology is a record of the growth of man and civilization, Civics can borrow much from it. Many of the existing modes of belief and association are really a legacy from the past, and cannot be fully understood without reference to the past. Sociology may not only tell us how our forefathers lived, thought and acted, but may indicate the future line of advance.

Civics and Politics.

The connection between Civics and Politics is very close indeed. Both of them treat of man as a member of an organisation called the State, owing allegiance to it and, in return, enjoying rights over his fellow-man. The origin of the two words, Politics and Civics, gives a clue to the subject-matter of these sciences. More than two thousand years ago, when a large part of Europe was still steeped in darkness, the Greeks and the Romans succeeded in evolving a vigorous political life. They lived in cities, and it was only to the city authorities that they were subject, hence, their cities were City-States. There were at that time no such large territorial States, comprising millions of human beings, as exist at the present day. The Greek word for city was 'Polis', which was used both in the sense of the city as well as of the State. Politics, it, therefore, means the public business

of the City-State. Civics is similarly derived from the Latin word 'Civitas', by which was meant the City-State of the Romans. Both the words thus have reference to the science of public administration of a State.

In course of time, however, while retaining a good deal of their original similarity, the two sciences have tended to acquire a slightly distinct significance. Politics has almost given up altogether its earlier association with the city, but Civics continues to be primarily concerned with city life. National and international problems bulk large in Politics; Civics modestly contents itself with the affairs of the neighbourhood. A large part of Politics is devoted to a historical account of the development of political institutions, which is taken for granted by Civics. Finally, while such subjects as the theories of the State, the nature of law, and the nature and location of sovereignty, occupy considerable space in Politics; Civics but lightly touches upon them. Its fundamental topic is the rights and duties of citizenship.

Civics and History.

Much of the material of Civics is drawn from the field of history. We cannot understand our own life without a knowledge of history. The present has its roots in the past. Each generation has borrowed freely from its predecessors and lent generously to its successors. All the customs and institutions, which envelop us like the air we breathe, have arisen and grown in the invisible past. There is no break in the continuity of social evolution. To quote Lord Acton, the Science of Civics 'is the one science that is deposited the stream'

of history like the grains of gold in the sands of a river. History has an inspiring effect on the mind of a citizen. It is the record of all that man has thought and done, dared and suffered, felt and cherished. It has also the effect of broadening his mental outlook and making him feel a citizen of the world. History tells him how all nations and races have striven through toil and difficulty to conquer Nature, eliminate evil and improve society. History also proves the interdependence of all races and nations. The Greeks learned much from the Egyptians and the Romans from the Greeks. The Chinese and the Hindus borrowed from each other. The modern Europeans owe an enormous debt to Greece, Rome and Islam. A history of the world is the indispensable companion of a student of Civics.

Civics and Economics.

Economics is the science of wealth. It deals with the way in which the processes of production and distribution of goods are carried on, and the material wants of man satisfied. For a time, the State was persuaded not to interfere in economic matters on the plea that the creation, distribution and consumption of wealth was regulated by laws which, like those of the physical world, had merely to be understood and could not be altered without evil consequences. It soon became apparent, however, that the conditions under which men, women and children work for their living, and the distribution of national income, have such a close connection with the formation of character and the general social well-being that they could not be left uncontrolled without disaster.

At the present day, every civilized community interferes very extensively with the economic life of its citizens. The aim of Civics is to produce good citizens, a task which, in the absence of adequate economic facilities, is utterly impossible. Creative citizenship demands that abject poverty and suffering are banished from the land. The problems of production and distribution of wealth, of taxation, of labour and capital,—have thus an important place in Civics. Civic institutions, on the other hand, like the caste system, and above all, the forms of Government exercise a profound influence on the economic texture of society. Though Economics and Civics have certain common problems, their angles of approach are different. Economics deals with its subject-matter in a purely analytical and descriptive manner, while Civics weighs it in the balance of human welfare.

Civics and Ethics.

Civics is closely allied to Ethics which is the science of morals. Ethics concerns itself with questions of right and wrong, good and evil conduct, the end of life, etc. As such it has affinity with Civics. Both deal with human conduct and character from the larger standpoint of the common good. The development of personality to its fullest possible extent remains the purpose of Ethics as well as of Civics. It may be pointed out, however, that while the former is concerned with the public conduct of individuals, their private life belongs to the realm of Ethics. Thus it is possible for a municipal board to abolish the public houses where liquor is sold, but that people should regard drink as an evil and

abstain from it even in their own homes is the function of *Ethics*. As the saying is, you cannot make men moral by Act of parliament.

Nevertheless, a good man, in his efforts to lead a good life, will be vastly aided, if the social institutions of his day are in harmony with the dictates of his own conscience. It was an idea, firmly held by Plato and Aristotle, that a good man is possible only in a good State and that a bad State makes for bad citizens. Mahatma Gandhi, a deeply religious man, had perforce to become a politician, because, he felt, he could not discharge his obligation as a true citizen without attempting to end the existing system of Government in India. In brief, we might say that while the end of life is prescribed by *Ethics*, the means for its realization are furnished by *Civics*. As Prof. Puntambekar observes, "If *Ethics* is the philosophy of good life, *Civics* is the practice of it."

Wide extent of Civics.

It will be obvious from the foregoing discussion how wide the scope of *Civics* is. It traces the evolution of man from the state of savagery to his present status when self-denial mingles with self-love to form his complex character. It takes into consideration his present position, studies the problems which confront him, and indicates the lines along which their solution might be attempted. It suggests the social and economic structure which must be set up for the future if the progress of man is not to be imperilled. The days are gone by when human beings lived in small communities; when what they thought and how they acted

concerned them only. Today the world has become so closely knit together that the action of a single nation or indeed of a single individual affects the whole of it. "Civics is the subject", says Dr. White, "that deals with everything appertaining to citizenship; past, present and future; local, national and human."

Practical work necessary.

But mere knowledge about citizenship, however extensive, is not sufficient to constitute a true student of Civics. More important than what he knows is what he does. He must undertake a certain amount of social service work. This is the only way to get an insight into real social conditions. He can choose his own particular line of work—an enquiry into the condition of peasants, of factory hands, of untouchables or of the unemployed. He will thus be brought face to face with problems, whose existence he had only vaguely felt but which will now impress themselves on him with all the urgency of living experience. It is this consideration which had led Prof. Geddes to define Civics "as the application of social survey to social service."

Exercise

1. Define Civics and briefly discuss its scope and methods.
2. How will you distinguish between social and natural sciences?
3. What is the subject-matter of the Science of Civics? How is Civics related to Politics, History, Economics and Ethics.
4. Is Civics a suitable subject for being taught at colleges?
5. 'Civics is the application of social survey to social service'. Bring out clearly the significance of this remark.

HUMAN NATURE

✓Man a social animal?

Two thousand years ago, Aristotle made the famous observation that man is a social animal, meaning thereby that unlike the animals, who usually live in isolation and each for himself, man prefers to live with others of his kind and to co-operate with them. We may, however, doubt whether man is wholly social by nature. For, were it so, the world would be a far happier place to live in than what it actually is. There will be no thefts, dacoities or murders, no economic dissensions, no racial conflicts and no international wars. There will be no need of government which exists mainly for the purpose of restraining men and women from harming their neighbours. Such a shrewd student of contemporary affairs as Bertrand Russell remarks, "Men are so little gregarious by nature that anarchy is a constant danger which kingship has done much to prevent. ✓"

Hobbes' view of man.

None has, however, painted human nature in such dark colours as Hobbes whose influence on modern thought is profound. According to him, man was originally little removed from animals. He was utterly selfish and always on the lookout to gain advantage over other men. He was greedy, fond of fight, and singularly free from all scruples. There was thorough distrust of one another; and if there is any one who doubts this natural unsociality of man, Hobbes bids

him consider what opinion of his fellows his own actions imply: "When taking a journey, he arms himself; when going to sleep, he locks his doors; when even in *his house, he locks his chests; and this, when he knows there be laws and public officers, armed to avenge all injuries that shall be done him.*" If a person cannot trust his road companions, his own children and servants, how can he be expected to cultivate feelings of friendship and mutual understanding with others?

Hobbes' picture overdrawn.

Now, there is no doubt that there is a great deal of truth in what Hobbes says, but it must be admitted that his picture is overdrawn. Man is not such a ferocious animal as Hobbes would make us believe. He is not wholly vicious, not altogether so self-seeking and calculating, not completely devoid of moral attributes. Any theory, which assumes man to be a rational self-regarding beast, fails to explain that part of him which is mystical, romantic, chivalrous and self-denying. It leaves out of reckoning the undoubted fact that many men have given their lives in feats of reckless daring while trying to climb the inaccessible mountain peaks, or while breaking aviation records; many men have risked their lives in an endeavour to discover the cause of some terrible disease. Many have cheerfully walked to their graves in order that their country might be saved from the intolerable degradation of a foreign yoke.

In the state of nature, if such a state ever existed, all that can be granted is that man had no perception of right or wrong; no sense of moral values. But to conclude, as Hobbes does, that because he had no idea of

goodness, he must be naturally wicked; that because he did not know virtue, he must be necessarily in love with vice; that he always refused to do a good turn to his fellow-creatures, because he had no conception of rights and duties is obviously wrong.

Rousseau's view.

A very notable reply to the charges of Hobbes was given by Rousseau who showed that Hobbes had failed to take due notice of the element of compassion which is a necessary ingredient in the composition of every man. In fact, some of the brutes themselves possess this instinct, as is clear from the fact that horses show reluctance to trample over living bodies, and an animal cannot see the carcass of another belonging to its own species without being moved. Rousseau's argument is that compassion is a natural feeling which, by moderating the love of self in each individual, contributes to the preservation of the whole species. It is this compassion that hurries us without reflection to the relief of those who are in distress; which, in the state of nature, supplies the place of laws, morals add virtues; which prevents a sturdy savage from robbing a weak child or a feeble old man of his sustenance. Rousseau is on sure ground when he says that primitive men maintained no kind of intercourse with one another, and that they were wild rather than wicked; more intent to guard themselves against a possible mischief than eager to commit one themselves.

The nature of children.

But we might leave aside, for a moment, these speculations of the old philosophers and try to understand

human nature by looking at the child. What light does the behaviour of the child throw on the character of man? Is it possible to gather from his outward actions whether it is the element of self-love or a regard for others which is the predominant characteristic of a normal child? It must be admitted that all children are greedy; they are unwilling to share their feeding-bottle with others unless they did so for a joke, for, as everyone knows, children have a great eye for the ridiculous. Nor do they readily allow other children to play with their toys unless they are given a leading part in the show. It is equally clear how, under the soft and genial influence of their mothers, they quickly develop the gift of imaginative sympathy. They find it difficult to bear the sight of anyone in pain, and their little hearts go out in equal measure to friend or stranger. But the judgment of Mackenzie is final: "There is a charming innocence in childhood and a readiness to appreciate anything by which it is surrounded; but it can hardly be maintained that there is present in it any definite conception of a common good. It seems, in general, truer to think of the child as bringing with him the instinct of a more or less benevolent despot. He has to learn to be a constitutional monarch, and by degrees an equal citizen with others."

Anthropology and the primitive man.

We have seen how Hobbes and Rousseau differed with regard to their estimate of the primitive man. The science of anthropology has made much progress since then, and it will be interesting to reconsider the question in the light of recent researches. It appears

that man was not originally gregarious, and that he lived in families rather than in tribes. It was only when the food supply became abundant that tribes came into existence. The man-like apes are not gregarious, and are only seen in numbers when most of the fruits ripen on the trees. At a subsequent stage, men began to subsist by fishing or hunting; but these occupations too do not favour gregariousness. They do not require extra help and can be best carried on alone. It was, in fact, the transition to pastoral life which first quickened the germs of co-operative effort.

To a pastoral people, sociability up to a certain degree is of great utility. They have to defend themselves as well as their property. Moreover, they are anxious to increase their stock of wealth by seizing their neighbours' cattle, and this can best be done in groups. But pastoral communities can never be very large for the simple reason that a given plot of land can provide pasture only for a limited amount of live-stock. The same quantity of land, however, can support a far larger number of men and beasts, when brought under the plough. With the development of agriculture, therefore, there occurred a revolutionary change in the way of life. Agriculture depends very largely on labour; the more of it, the better. The soil also constitutes a tie which cannot be loosened; the heirs to an estate have by compulsion to live together. Seen in the context of historical facts, the social element in man does not seem to be in-born, but only the product of changing economic needs.

Caution needed.

This conclusion should serve as a necessary correc-

tive to the optimism of some reformers who expect too much from human nature. It is so easy to assert that man is social by nature and, with a mere sweep of the hands to brush aside all difficulties which the stern realities of the situation impose on him. If man had been social from the beginning, or if the mind of the child gave any pronounced indication of such a quality, the problem of social co-operation and mutual help would be far less difficult than it really is.

Man a mixture of opposites.

The plain fact is that human nature is a highly complex thing which does not admit of a simple explanation. It is a strange combination of two opposing forces, egoism and altruism, blended in such a fashion that quite often it is impossible to separate the two. We cannot say that an impulse is wholly egoistic or altruistic; very possibly, it is a mixture of the two. Thus to take an example, nothing seems more individualistic than the desire for life, and yet it is quite probable that the desire derives its motive force from a wish to be of service to those with whom we are connected. How far a person cares for his own life and for that of others, has been tested over and over again in moments of tense excitement as when, all of a sudden, a fire has broken out. The individual has been known to secure the exit of his wife and children before he has given a thought to himself. Conversely, the benevolent desire to do good to others, involves a reference to self. It is only as belonging to my own town or village that I attach importance to my neighbours' welfare. It is significant that Aristotle traced the origin of the

altruistic sentiment to the maternal instinct which led the parents to regard their children as being portions of themselves.

It must, therefore, be always remembered that man is a creature midway between an angel and a beast, and not wholly subject to the conditions of either. Though he is the 'paragon of animals' and has something of the godhood in him; the animal side of his nature is so active that it is difficult to forget that with all his nobler qualities he has not ceased to be of the earth, earthy. There is undoubtedly one great advantage which he enjoys over the rest of the animal kingdom, and that is the exclusive use of reason. The consciousness of a common purpose and common destiny, which has done more than anything else to weld the people together, is an experience not shared by the brute creation.

Interdependence of human lives.

It is easy enough to realize, if we look round about us, how one human life is bound up with another. The helpless baby, in its mother's arms, would die but for her constant care; the older child is still wholly dependent on his parents; the boy, who goes to school, soon learns that his own wishes must often give way before the will of others, that in lessons he must strive to keep pace with his fellows, that in games he must do his best at the particular post assigned to him. As he grows older, and has to decide what his share in the world's work is to be, he should ask himself the question not merely, what should I like to do? Nor even, what can I do best? But, what can I do that others have need of?

Society and the individual.

The relation, which exists between the individual and society, is broadly that of the part to the whole. The part has no value apart from the whole. In the same way, the individual will be a poor thing, were it not for the opportunities offered to him for self-perfection. There are two opposite views with regard to the way in which this object can be achieved. There is, first, the idea, on which the ascetics act, that a man can only please God by avoiding certain temptations which tend to prevent him from serving God and that, therefore, he should live outside the world. The other view is that it is only by living in the midst of society, by overcoming the temptations which struggle for mastery, by performing acts of charity and kindness that man's spiritual progress can be accomplished. Surely, such essentially human qualities as compassion and tenderness cannot be nursed in a vacuum; they presuppose the existence of the weak and the helpless. What is desirable is that every individual should to his utmost capacity take part in the common life. By doing so, he will not be destroying his individuality as might apparently appear to be the case, but realizing the most that he is capable of being. A public servant, who devotes as much of himself as he can to the public service, does not cease to be an individual; he devotes as much of himself into his work as does the most selfish miser. And we must remember that the highest life is that which the greatest number of people share, and the lowest that in which the least share.

Importance of the individual.

It is thus clear that society is indispensable for the self-realization of man. And, of course, society itself cannot exist apart from the individuals who compose it. This is perfectly obvious, but what needs urging is that without the contribution made by certain outstanding men and women, society will have ceased to make any progress. As Carlyle said, the history of the world is the biography of its greatest men. The names of Buddha, Jesus Christ, Galileo and Pasteur are remembered with gratitude because of their mentorious services to humanity. The first two showed how to master the desires that lead to strife and thence to defeat slavery and subjection, and the other two pointed the way towards control of natural forces. Curiously, such men have very often little success in their own day. Instead of being welcomed, they are reviled and persecuted. But this is because their position is a peculiar one. In a sense, they are the products of their times, in another sense, they are the architects. They do not hesitate to defy the conventional ideas of their day, to hold authority to scorn, and to strike out new paths for themselves. They deserve the names of makers of their environment, because, they contribute a new element to social advancement and leave the world different from what they found it. But, howsoever great their achievements, they depend for what they are and what they accomplish on the spirit of their times. Their very greatness is due to the fact that they are better able than any of their contemporaries to comprehend the needs of the times and to make articulate the vague longings and aspirations of the people.

"No teacher," says E. M. White in a beautiful passage, "ever enunciated a message that was evolved solely by himself, no prophet ever expounded a vision that others had not glimpsed in part, no leader ever led a people to action for which his followers were not ready."

Importance of society.

Thus we might say that society is the logical outcome of man's nature. The satisfaction of bodily desires, the need of protection against foes, animal and human, and the reason which enables him to see how his good is intermixed with the good of his neighbours,—all combine to bring society into existence. Since an individual is a member of a social unity, his supreme end will be the perfecting not only of his own life, but also of the society to which he belongs. To a great extent, the two ends will coincide with each other; but in view of the duality of man's character—selfish and self-sacrificing—the possibility of their conflict is not ruled out.

Exercise

1. 'Man is a social animal'. Do you agree?
2. Discuss briefly the views of Hobbes and Rousseau about human nature. Which do you think is the truer view?
3. Show that the social nature of man is not inborn but the product of changing economic needs.
4. 'Man is a mixture of opposites.' Explain this statement by giving examples.
5. Is man the product or maker of circumstances? Estimate by taking two or three examples the debt which humanity owes to great men.
6. What is the relationship which exists between the individual and the society? Show how the two are interdependent.

CHAPTER III

THE SOCIAL AND ECONOMIC BACKGROUND

Wealth the aim of life.

The modern society is essentially organised for material gain. The one object in life, which almost everybody places before himself, is to acquire as much wealth as possible. This is the standard by which society judges the success or failure of its members. A person, who has earned a fortune even though by questionable means, is decorated with titles, admired and envied and pointed out as an example to the rising generation. Time was when stress was laid on the development of character, when the acquisition of wealth was regarded as a matter only of secondary importance. Today, everything else is subordinated to this consuming passion.

Wealth and social domination.

The desire for wealth and for social domination, is the distinguishing feature of our age. The latter is merely a modified form of the aggressive instinct of primitive man. No longer does a person capture another person and make a slave of him; he aims at securing control over him through social and economic competition. When somebody uses the expression that so and so has 'made good,' it is to this two-fold achievement of his that a reference is made. The educational and social training are directed towards the strengthening of these motives, and it is only in so far as the individual has learnt to react to them that he can fit in easily

into the structure of society. The domination over other people is secured, not by the now forbidden method of physical violence, but by the socially permitted methods of economic and social competition—by the purchase of other peoples' labour and submissiveness and by the gaining and utilizing of the prestige attached to a superior social position arising therefrom.

Portrait of a successful man.

It is worth while to examine the nature of the modern struggle for existence by taking up the story of a young man who started in humble circumstances and became a prosperous business man. One part of the story is his amassing of wealth; from being only able to satisfy his primary needs, he has risen to the position of being able to indulge in luxuries and to accumulate capital. The other part is his rise from a subordinate position to a dominating one. At one time he had to receive orders and to be obsequious to his superiors; now it is he that gives orders and is addressed respectfully. He has been engaged in a long struggle against others, a struggle in which he has employed no physical violence but in which his weapons have been his intelligence, his skill (perhaps in the use of words), his will power, his wealth and his economic and social status. From being a clerk, he has now become the managing director of a flourishing concern. Industry, foresight, pleasing manners, brilliant enterprise, a speculative turn of mind, shrewd shots, dishonest dealings have all contributed towards his final success. It has been a fight all right, though somewhat removed from the physical fight of savages.

The result of allowing free outlet to the motive of social domination is to increase the world's unhappiness. It is an end, which, from its very nature, can be attainable by only a few. The remainder suffer from the frustration of an impulse which has been encouraged by social influences but which has to remain unsatisfied. Having failed in their original purpose, these men seek to gratify it in undesirable ways, by playing the petty tyrant over their wives and children or hating those who have succeeded.

Successful man, not really happy.

Nor is the successful man himself much happier. It is certainly true that he owns a palatial house, a large garden, a fleet of cars; but of contact with his wife and children, which is the most pleasing feature of humbler homes, he knows little. He wakes up early in the morning while they are still asleep and, after a hurried breakfast, drives to his office. There it is his duty to display the qualities of a great business magnate. He cultivates a firm jaw, a decisive manner of speech, and an air of sagacious reserve calculated to impress everybody except the office boy who knows all about his master's little vices. He dictates letters, attends to telephone calls, studies the market reports and has lunch with some big merchant with whom he is conducting a deal. The same sort of thing goes on in the afternoon. He comes home in the evening weary and dyspeptic.

All that a sensible man would wish to secure from money is leisure with security. The lawyer, the physician, or the teacher is reasonably content if he succeeds

in supporting and rearing a family according to the standards of his class, and in making some moderate provision for the future. But the business man has a different goal. The aim of all in his class is to earn more than what is enough for support. They need money for purposes of splendour and ostentation and for that of outshining those who have been hitherto their equals.

No moral scruples.

Nor is much heed paid to moral considerations in modern society. There does indeed exist morality of a sort, but that is merely based on old time beliefs and superstitions. It is not derived from man's duty to his fellow-men. A person, who swears or smokes or drinks or gambles or is in love with some one else's wife (which he can hardly help, poor devil), is considered a sinner by society and is apt to regard himself as such in his moments of remorse. But a manufacturer who puts cardboard in place of leather in his shoes, or a chemist who sells useless patent medicines, is praised for his enterprise. People are enjoined upon to speak the truth; but the whole basis of the science of advertisement, which has been brought to a high state of perfection, is deceit and fraud. In the old days, religion, by holding forth the terrors of the next world, kept the people straight. It is, however, on the decline and no other adequate principle has yet taken its place.

Industrial Revolution.

The present society is very largely the product

of the Industrial Revolution which occurred in England in the second half of the eighteenth century. It consisted of a series of great inventions which introduced a change in the arts and of a consequent change in economic and social conditions, greater than had ever appeared during a similar short period of time. Before the Industrial Revolution, production was carried on in Europe in very much the same fashion in which it is still done in India. There were the small artisans who worked in their own cottages and themselves owned the simple implements of their craft. Each worker was his own buyer, manufacturer and salesman. He was his own master. The invention of machinery, driven by water-power and later by steam and electricity, has changed all this. Huge factories, containing very complicated and efficient machines and employing a whole army of workers, have sprung up everywhere. The very face of the land has altered. Smiling fields have been converted into ugly-looking factory sites, and there has been set in motion a continuous stream of migration from the countryside to the towns.

Capitalist system.

The resultant economic organisation of society is called the capitalist system, and there are certain underlying principles on which it rests. They are mainly the institutions of private property and freedom of enterprise. The first means that the owner of any kind of property may use it as he likes subject, to the laws of his State, and the second, that everybody is free to engage in whatever economic activity he chooses.

Evils of Capitalism.

● These principles, which at first sight appear to be eminently reasonable, turn out to be productive of much evil when put to practical application. What we know is that by these methods a few individuals become multi-millionaires, while millions are reduced to poverty. Competition means that to come to the fore, hundreds of rival firms must be thrown out of the market, and to do so, all kinds of brutal and underhand methods are employed. Those who are ruined become bankrupt or mad; while some are driven to commit suicide and leave their wives and children destitute. Moreover, competition is wasteful. It leads to over-production and the expenditure of large sums of money on such socially barren items as advertisement, the payment of commission to sale agents, etc.

Social needs neglected.

• Besides, the system of free enterprise has little relation to social needs. All that a capitalist takes into consideration when he is thinking of starting a new business, is the amount of his profits and not its value to the community. He will thus prefer to devote himself to the manufacture of furs, perfumes, cosmetics or pleasure-boats, where the returns are larger, to the building of the houses for the poor. In his greed, he loses all moral scruples. He is quite prepared to make gunpowder or battleships. And he is equally ready artificially to restrict the supply of his commodity, if on cold calculation he finds that this will bring him greater gain. Cases are not wanting of large farm-owners burning down their crops so as to raise the price of corn, while

in a neighbouring country the people were dying of starvation.

Fortunes.

But the strongest point of criticism against the present system is the way in which large fortunes are permitted to be made and bequeathed to heirs. These fortunes run into crores of rupees. In the United States of America, it has been calculated that almost all the wealth of the country is in the hands of sixty families whose lives exceed in luxury and display anything ever dreamt of by the rulers of past ages. So much wealth in the possession of a few is the negation of the principle of equal opportunity. For it is obvious that the sons of the rich occupy a privileged position. They inherit property, and because they inherit property, they also inherit opportunity. They have a better start, a more stimulating environment, a higher ambition. They are likely to secure higher incomes and to preserve a higher standard of living by late marriages and limited offspring.

Social divisions.

Inevitably, society is divided into separate classes. There is a wide gulf which lies between the rich and the poor. Members of the two classes meet and dine and marry amongst themselves. It is true that these social divisions are not so rigid as is the caste system in India. Nevertheless, they are sufficiently remote from each other to make it easy for a person belonging to one class to pass off into the ranks of the other. The business circles are close corporations into which it is extremely difficult to force one's way, and the learned professions continue

to recruit their members from their own order. All this makes for lack of understanding, class hatred and conflict.

Exercise

1. What do you think are the chief characteristics of modern society?

2. Explain what is meant by capitalism. How did it arise and what are its evils?

3. Do you favour the continuance or abolition of private property? Give arguments for the view you take.

CHAPTER IV

ASSOCIATIONS

Why necessary.

✓ Man is a member of society, but were it not for the fact that society is divided into a number of smaller groups, he would be able to accomplish little. He could bend his energies to no definite task and would behave as a child who has lost his way in a crowd. Concerted effort is needed in every department of life and this requires planning and organisation.

How they arise.

In every highly developed community, a number of associations exist. These associations are of various types, each ministering to one or more essential human needs. The desire for self-perpetuation gives rise to families, while another impulse, equally powerful, namely, hunger, results in the emergence of such economic groups as the castes and the trade unions. Religion too has been a factor of considerable importance in human life and has divided mankind into different compartments. Thus there has been the thirst for knowledge responsible for the countless Pathshalas of Ancient India and great Universities like those of Taxila, Nalanda, Alexandria, Athens and others. In modern times, it is felt that work, which is often monotonous and exacting, is not the end of life, and that there should be as many organised ways of seeking pleasure as those of doing work. This has led men all over the world to combine and establish sports clubs, stamp collectors'

clubs, mountaineering clubs, amateur dramatic societies and similar other fellowships.

Natural or artificial?

These associations are, in a sense, natural and in another, artificial. They are natural in that they attempt to satisfy some natural craving on the part of man. A man marries and has children, because he must; he follows a religion, because he feels that this world does not cover the whole of his existence, and that there are forces which mould his life with which human beings have nothing to do. But they are artificial in that they are no part of Nature like the stars and the sea and can be founded and dissolved at will. A person may or may not be a member of some religious sect. Even though born into one, it is open to him when he attains maturity to leave it and to join another. A person is necessarily, to start with, a member of some family, but by refusing to marry, he can avoid setting the stage for another.

Associations and the individual.

In general, the more numerous the associations and the greater their variety, the richer will be the life of the community. There are different facts to everybody's personality, and in order that all of these may be unfolded, it is necessary that he should join a large number of associations. The emotional side cannot be fully developed without marriage, for, it is parenthood which opens for us a new world of deep emotions and creative impulses. Anybody, who has seen a congregation in the act of worship, could not

have failed to be struck by the spirit of reverence and devotion which the scene evokes. The bells, the subdued light, the beautiful and sublime images, the incense-laden air, produce an atmosphere surcharged with mystery and awe in which the individual feels the stirrings of the soul and loses himself. He satisfies his natural love for pleasure by joining some recreational association; while, if he cares for higher things of life, he offers himself as a member to some cultural society. It is thus obvious that the larger the number of interests a person has, the bigger the number of associations which claim him as a member.

Constitution.

Associations or rather groups differ in their essential features. The only thing, they have in common, is that they exist for the realization of certain aims, and that there are some common bonds which bind the members together. But while there may be some groups, and in the narrower sense the word 'association' is confined to these, which have a written constitution, proper office-bearers, regular membership; there may be others which are more or less indefinite. An example of the first type is the Royal Historical Society. Members are elected and have to pay an annual subscription of two guineas. There is a President, a Secretary and a Council, and meetings are held once a month when a paper on some historical subject is read. The Hindus may be taken as an example of the other type. Here everything is in doubt. In fact, the question, 'Who is a Hindu?' is one which it is extraordinarily difficult to answer. Hindus differ so much amongst

themselves in their religious beliefs and practices, and their outlook on life admits of so great a variation that no comprehensive definition of the term 'Hindu' can be evolved. And yet they represent something which is common to them and which separates them from the rest of the people. A Hindu, whatever else he may be, is not a Muslim or a Christian. There is thus a double character which these associations bear; they are a unifying as well as a disruptive force. If they happen to include a large number of men as their members and to be inspired by some lofty spiritual or political end, they are capable of convulsing the world.

Types

Associations may be classified into the following well-known types (1) Kinship associations, (2) Religious associations, (3) Vocational associations, (4) Philanthropic associations, (5) Cultural associations, (6) Recreational associations and (7) Political associations. Barring religious associations, which will be treated of in a separate chapter, a few words may be said on each type.

Kinship associations.

Kinship associations are based on blood relationship, such as families, clans and tribes. The clan which occupied a midway place between the two has almost wholly died out, while the tribes only survive in countries which are not yet civilized. A tribe is a social unit, though often a very loose one, consisting of persons, who inhabit the same district and regard themselves as descendants of a common ancestor. In India,

the tribal form exists among the primitive people who number about 25 millions. They live secure within the shelter of swamps, forests and hills, and worship the mountain and forest spirits. Their standard of life, however, is miserably poor. They hunt animals, eat carrion, make their cottages of plaited grass and live with their women in a kind of group marriage. Slowly, however, they are becoming assimilated into the Hindu social organisation. What happens is that a wandering tribe, as a result of cultural contacts, gives up its older mode of life, and gains recognition, as a caste, though of the lowest order. But this is a healthy change. The committing of thefts is one of the vices of these people, but when they settle down in villages, they take to some useful art like basket-making, tanning and leather-work, or labour in the fields.

Castes.

The caste is another group which falls within this category, though, outside India, it has no existence. What the caste system means, its great antiquity, its grave defects, its slow dissolution before the modern influences, are matters which are familiar to every Indian. What is sometimes forgotten is that only fifty years ago, the caste system played a very useful role, specially in professional matters. The wages of labour, the hours of work, the prices and the output of commodities were fixed by the caste panchayats. They regulated trade processes and methods; arbitrated in disputes between the members; and organised strikes and boycotts in cases of oppression. That these functions have not altogether fallen into disuse, we may remind our-

selves by recalling how, during the last Great War, the Dhobis in various places held their panchayats and decided to charge uniform rates from their customers. The caste feeling continues to be a factor of considerable importance and should be carefully considered in any scheme of social or political reform.

Gradually, however, the caste panchayats are being replaced by associations of a more modern type, called Sabhas or Mahasabhas, some of which deal with a single caste, others with an inter-related group. They are deliberative bodies, working by persuasion rather than coercion; they do not handle individual cases, but pass resolutions of a general nature. Their activities, however, are confined to the social sphere. At the same time, a new economic organisation is also coming into existence. It includes labourers' unions, such as the Mazdur Sabha of Cawnpore; Kisan Sabhas, Transport Workers' Unions; Chambers of Commerce; and Associations of traders, bankers and moneylenders. The functions of these vocational associations are similar to those of the trade unions to which we must now turn our attention. But we might note that all these vocational associations cut across caste divisions.

Vocational associations.

Trade Unions are a form of vocational associations. A modern Trade Union is generally an association of workers in the same or allied trades, which collects funds from all its members and applies them firstly, to support those of its members who cannot obtain employment and secondly, to grant certain allowances to members in need. Its chief aims are the increase of wages,

the reduction of the hours of labour, the securing of healthy, safe and pleasant conditions of work, and the defending of individual workers from arbitrary and unjust treatment by their employers. The Trade Unions first arose in England in response to the peculiar conditions created by the Industrial Revolution. Thousands of workers had been placed at the mercy of the factory owners who not only paid inadequate wages and extracted the utmost work but, what was worse, could discharge them at their own sweet will. The workers hoped by combining amongst themselves to bring the requisite pressure to bear on their employers. Their efforts have succeeded to a large extent. The condition of the labouring class is now much better than what it was in the beginning of the nineteenth century.

Their danger.

But the organisation of several million workers as loyal members of their Unions with the large funds which they can use, has in it the seeds of social unrest. On the one hand, there are the employers with great financial resources, who have further strengthened their position by banding themselves into Employers' Associations and on the other, the mighty Trade Unions. As long as questions of common interest are decided by mutual negotiation and agreement, the new dispensation makes for quickness and efficiency, for, obviously, there are natural advantages in decisions being reached, to which large masses of men are parties. But when there is disagreement and, labour threatens to go on strike, the situation is pretty ugly. Nor is there any guarantee that a Union will not use this weapon for

purely selfish purposes. But at this point, it is the interest of the community at large which is affected. Supposing a strike is engineered in a service of such vital concern as railways, urban transport, light and water, the results might well prove to be calamitous. The solution of the problem lies not in declaring illegal the strikes which are the only ultimate safeguard the workmen have against exploitation, but in the abolition of the absolute control of the employers over industries and in the formation of managing committees in which labour is represented. If the workers have a hand in settling the conditions under which they will be required to work, the motive for strikes will vanish.

Professional associations.

Similar to the Trade Unions are the associations which have been established by men belonging to the professional classes. Law, medicine, teaching are but some of the well-known professions which have their own organisations for the purposes of controlling the admission of members, of laying down the conditions under which the profession is to be practised, and of setting up a standard of morality to which every member must conform. It should be pointed out that these bodies are usually moved by a twofold ideal; to ensure decent income to their members and, at the same time, to render useful service to the community. They are not merely preoccupied with rights, but are also conscious to some extent of their duties. Hence it is that conduct, which will pass as natural in the case of a business man, will be deemed open to grave censure if it had reference to the activities of a man belonging to professional classes.

A shoe merchant, who sold a pair of shoes with the assurance that it would last a year when its likely life was two weeks, would suffer no harm; but a medical man, who gave a false certificate, would run the risk of having his name removed from the rolls and losing his job. Experience, however, suggests certain measures which might be made applicable to the professional associations. First, they should not have the final voice in deciding the charges to be made for their services as they are apt to fix them high. Second, they should not alone determine the conditions on which new members are to be admitted. For, left with this power, they are likely to make them unduly stringent so as to preserve their own monopoly.

Cultural associations.

Cultural associations perform the invaluable function of bringing together persons differing in economic circumstances, in political views, in racial origins and of making them co-operate for the realization of spiritual values. The pursuit of truth, the production of works of art which delight the eye and feed the spirit, the removal of misunderstandings, and the discovery of a common basis on which the various classes, of which society is composed, can unite, are some of the purposes for which cultural societies are founded. While the tendency of vocational associations is to widen the differences which separate one class from another, these cultural associations act as reconcilers and bridges. The process of civilization consists in free, conscious and willing subjugation of the great primitive instincts to the services of wide and wider groups of men and finally to

the service of humanity as a whole. Cultural associations are in a peculiarly happy position to help this process when, as is often the case, they transcend national boundaries. Thus the Tagore Society of Cambridge by stimulating the interest of the English people in the works of the poet, is likely to contribute towards a better understanding and appreciation of Indian thought and aspirations and, in this way, to draw the two countries closer.

Recreational associations.

The recreational associations on a lower plane perform a similar task. Naturally, their membership is confined over a limited area. When the people, whose work lies in widely separated fields, meet together, they are bound to develop sympathy for each other's point of view. Pleasures, enjoyed in common, have the effects of throwing people off their guard, of doing away with artificial differences, and of enabling them to stand on level ground. But they fulfil this purpose only when they are non-exclusive clubs. If they are otherwise, the effect is harmful rather than good. The exclusive European clubs in India, while fostering solidarity among the official class, only served to increase racial bitterness. Another necessary precaution is that the club exists for the pursuit of some innocent pleasure and not for the satisfaction of the lower appetites. A tennis club deserves encouragement for it offers to its members good physical exercise and mental relaxation. But the night clubs of Paris, London or New York, where the people meet for dissipation, merit the severest condemnation.

Philanthropic associations.

If the object of the recreational associations is to increase happiness, that of the philanthropic societies is the alleviation of human suffering. Natural and social inequalities combine in making the life of some of us full of misery and pain. The lepers and the blind, victims of famine and pestilence, wounded soldiers, the unemployed, all cry out for help, and it is a cry which is irresistible. All the great religions of the world count charity as one of the highest virtues. By the laws of Islam every individual is bound to contribute a certain portion of his income towards the help and assistance of his poorer neighbours. But even more important than charity is personal service. A man should not merely content himself with the giving of a small dole out of his earnings, but should pay occasional visits to a hospital or a like institution and speak words of kindness and cheer to those with whom life has dealt unjustly. The poor and the sick need both material aid and moral support. They are hungry for bread, but they are perhaps more hungry for love, sympathy, equality and brotherhood. Care, however, must be taken to see that relief is given only to the really deserving; indiscriminate almsgiving defeats its own purpose. Very often, the beggars, who throng the streets of holy places like Benares and Muttra, are clever and idle scoundrels who fraudulently appropriate to themselves what ought to go to others. While the self-respecting destitute and the sick stand behind, they hustle their way to the front and snatch away the blankets from the hands of the Lady Bountiful. It is, therefore, best to forgo the sense of self-importance which the direct

distribution of charity brings one and to confine one's philanthropy to duly constituted organisations. Such establishments keep a record of the people who really need succour and maintain satisfactory accounts. Institutions of this kind exist in every country, some of the more familiar examples being Dr. Bernardo's Homes, the Ram Krishna Mission and the Seva Sadan Society.

Political associations.

But of all the modern associations, the political ones are the most important since their influence on the life of the citizens is immediate and profound. They are best represented by political parties, such as the Indian National Congress. Their membership runs into gigantic figures, they cover very extensive areas by means of innumerable branches, and they have command over large sums of money which they can use for their purposes. As the object of every party is to bring about certain political, economic and social changes, their activities affect every citizen within the country in one way or another. This is the case with all the parties, but more particularly, with such 'totalitarian' parties as the Communist Party of Russia which seek to control every little detail of the citizen's life. Political parties, when they succeeded in capturing power at home, become ever more formidable internationally, since the peace of the world depends on their policies.

State and other associations.

In a sense, however, the State itself might be said to be the highest association, since it includes the total

social organisation. The family, the Church, the Trade Union, all have to submit to its will as formulated in the laws; and they carry on their operations over an area where the conditions of peace and ordered progress are maintained by it. Sometimes, however, very exaggerated claims are put forwards on behalf of the State, as when it is compared to an organism with the obvious implication that the other social groups are no more than its mere parts. Just as the organs of a living body are wholly dependent upon it and have no significance apart from it, so also, it is made out, clubs, societies, unions, corporations, Churches have no rights, no ends, no interests save those, as belong to them by virtue of the fact that they are the instruments through which the State realizes itself. It is conveniently forgotten that while, in the case of an organism, the parts and the whole burst into life together and are inextricably connected, institutions like the family, the clan, the tribe, the religious community and the guild have long preceded the State and do, in fact, form the foundation on which its structure has been reared. Some of them continue to exist and retain their vigour.

Society federal in character.

The right view to take is, of course, to regard society as essentially federal in character; to consider it as a vast net-work of associations, some more important than others, but all fulfilling a necessary and useful function; all possessing rights and owing duties. The associations are important, because, without them, the individual will feel like the atom and be without the means of self-realization. Nor is it possible for one

association, however exalted, to represent adequately all the manifold interests of mankind,—artistic, religious, acquisitive, playful and political.

Conflict of loyalties.

But the fact that all these groups exist and carry on their activity at the same time within the bosom of society, gives rise to the possibility of conflict between them. An individual, on the other hand, is a member of several social units at one and the same time—family, caste or religion, village or town, province, country, and finally the world itself. It is quite conceivable that his loyalty to one group might bring him into clash with another. Supposing that a man is a pacifist by religious conviction, but his country orders military conscription. He has in these circumstances to take a difficult decision. He must either hold fast to his religion and suffer imprisonment gladly, or as a patriot take up arms in defence of his country even though his religion teaches him to regard war as an evil. Or supposing that there is cholera in the city, and the neighbours around him are dying. In which direction does the path of duty lie? Should he leave the city and thereby save himself and his family, or by remaining on the spot, nurse the sick, even though he runs the risk of catching the infection himself?

Right ordering of loyalties.

There is a simple rule which must form the basis of our conduct, if we are to live as human beings. The rule is that the larger group must come before the smaller. It is an extraordinarily difficult rule to follow in

actual practice inasmuch as the majority of us are pre-disposed to prefer the smaller group to the larger. We care most for our families and for those with whom we share our daily toil, and least for those who are far away, speak a different tongue and practise a different mode of life. Yet this is not the right ordering of our loyalties. The world should come first and ourselves last. Perhaps, in the course of ages, this ideals will be attainable. For, we are slowly evolving from the state of animals. The beasts do not look beyond themselves. The pig feels perfectly happy and comfortable if there is enough food in his sty. But the finer spirits amongst us, a Tolstoy or a Gandhi, do not give a thought to themselves, but are ever anxious to relieve the sufferings of others. The larger the mental horizon of a person, the more extensive is the field over which his sympathies play and the higher is the position which he occupies in the scale of evolution. Self-preservation and self-assertion are the principal attributes of the brute; self-sacrifice and social service, the glorious heritage of man.

Exercise

1. Discuss the reasons why associations are formed. Are they natural or artificial?
2. 'To have too many associations is to split up the community into fragments.' Do you agree with this view?
3. What are the functions performed by the trade unions? How do they constitute a danger to society?
4. Is the caste system a useful or obnoxious institution?
5. How does a person belonging to a liberal profession differ from a business man? Suggest some of the ways in which the

capacity for public service of the professional associations can be further increased.

6. On what grounds is it claimed that the state has no right to interfere with such institutions as religion and the family?

7. 'Civics consists in the right ordering of loyalties.' Explain this statement.

8. 'Man's higher progress is a series of subordination of a smaller self to a higher and wider self'. Clarify this statement by giving examples.

FAMILY

Family, a universal institution.

Family is undoubtedly one of the earliest social institutions, and it is of great importance from the degree of influence which it exerts over the individual. Originally, men and women met together casually for the purpose of mating; but when they decided to stay on in order to tend and cherish the helpless baby, the family came into existence. Everywhere the people live in the form of families, whether they are civilized or savages; and even in Russia, where for some time it appeared as if its basis was threatened, it has been able to preserve itself. Speaking of the primitive people, an experienced traveller says, "From observation of various tribes in far distant parts of Australia, I can assert confidently that love for their children is a marked feature in the aboriginal character. I cannot recollect having ever seen a parent beat or cruelly use a child, and a short road to the goodwill of the parents is, as amongst us, by noticing and admiring the children."

Family attachment among ancient peoples.

Family sentiment has been a strong characteristic of all ancient peoples. Man's worth was judged in Egypt by his behaviour in the family circle. The inscriptions on the tombs of the Pyramid Age testify to it. A departed noble claims that he was a good son and a good brother, claims of modesty perhaps for-

bidding any reference to his excellence as a husband: "I was one beloved of his father, praised of his mother, whom his brothers and sisters loved." In Athens, before a man could become a magistrate, he had to produce evidence to show that he had treated his parents properly; and anyone, who had denied them shelter or food, forfeited his right of speech in the national assembly. But perhaps, in no country has family attachment been so presistent and carried to such extremes as in China. Every Chinese believes that a man owes it to God and to his ancestors through whom he worships Him that he should be willing to make tremendous sacrifices for the sake of his family. Thirty years ago, it was not at all unusual for large numbers of labourers practically to sell themselves to the industrial companies for a period of years, usually six, during which they were fed, clothed and housed free of charge but had to do very tough work. But they cheerfully bore it all, because, at the termination of the contract, they were presented with a lump sum of money which enabled them to marry and set up a family. In consequence, China has an overflowing population which is kept within limits by the periodical recurrence of famines.

The Aryan family.

In India also, the family has occupied a dominating position. It is an institution which seems to be already highly developed among the Aryans when they came and settled down in the Punjab. Its most prominent feature was the authority of the head of the family. Measureless devotion towards the parents was

demanding in consideration of the priceless gift of life which they had bestowed on their children. It was a system of joint family which included not only the children of a father, but also the children of his sons and those of his son's sons, if any such were born during his lifetime. It did not, however, include the children of a daughter: those belonged to a different family. Over the members of his own family, however, the head was absolutely supreme. He could dispose of them by sale or by gift, could punish them in any way he chose, and he even held their lives in his hands, for, his right to offer them as sacrifice to the gods was recognised.

P The Roman Family.

The authority of the Roman father, called by the familiar name of *patria potestas*, was even more complete. In his case, the law expressly recognised his right to take the life of his child. Such killing was not a murder; it was not a crime; it was the exercise of a legal right belonging to the father. We, living in a more liberal age, might marvel at the despotic way in which so many men and women were deprived of their rights and liberty. For, that the system was terribly oppressive cannot be doubted. It meant that every citizen, who had a living father, was unable to acquire property, unable to acquire anything for himself, was wholly dependent on his father in person and property, was liable to be punished, to be sold into slavery, and even to be put to death. But the fact that the father possessed all this power, does not, of course, imply that it was actually put into use. We may rest

assured that if these extensive and dangerous powers had been abused, they could not have been long enjoyed. The only reason, which led the Aryans and the Romans to confer so much authority on a single person, was the profound sense of family unity, the conviction that every family was, and ought to be, one body, with one will and one executive. The father was not regarded as separate from the other members of the family, as having rights or powers against them. He was regarded as the representative of his family, as having its interest closest at heart, and even in his punishments he was supposed to be acting for the common good.

✓ Importance of family.

It will be interesting to discover the place of the family in the social scheme of Ancient India. The family then occupied a more central position than it does now. This was due to two important reasons. In the first place, the influence of the State was weak, and in the second, the individual had not risen to his present status. In ancient society, the individual counted for little; it was the family which formed the social unit. Accordingly, the State in its dealings was concerned with the family only. But since the functions of the State in the earlier days were strictly limited, and amounted only to the maintenance of peace and the gathering of taxes for that purpose, a large area was left for the free operation of the family. The service which it rendered to the community was immense. It was as a member of the family that the individual learnt the most useful lesson in life. He learnt

the supremely difficult art of living together, of sharing a common home and managing property which was held in common. The head of the household was primarily responsible for breadwinning, and he had the privilege of dividing the income among the relatives in accordance with their need. It was not, however, merely the satisfaction of material wants which kept the members together. The practice of common worship brought them even closer to each other, and it laid deep the basis of a spiritual union. It was in the midst of such an atmosphere that the children were trained in the traditional learning and craft of their forefathers, that they were taught the subtle lesson of obedience and co-operation, and that they learnt to sympathise with suffering by being made to look after the aged and the sick. This was the way in which the habits of a corporate life were fostered. The ancient Aryan family had many aspects, political, economic, religious, cultural and recreational. It was a political association, since its underlying principle was obedience; economic, because, it provided the wherewithal of physical existence; religious, because, ancestor-worship was one of its chief characteristics; cultural, because of the learning that was taught and of the wider lesson instilled of decent social behaviour; and finally recreational, because, it served as a busy centre of gossip and merrymaking. ✓

Family, a union of sexes.

The family is a union between husband and wife. Men and women have supplementary qualities, and it is a union of the two in wedlock which makes for the

fulness of life. The peculiar qualities of man are physical strength, fearlessness, resoluteness of purpose, love of fight; those of women; compassion, humility, self-denial and inexhaustible patience. "A woman is a cross between an angel and a drudge," says a modern essayist which reminds one of the famous sentence of Ruskin, "A true wife, in her husband's house, is his servant; it is in his heart that she is queen." It is not the biological necessity which forms the best defence of marriage; it is rather the inseparable companionship, to which it leads, which constitutes its greatest charm. To see an old man and his old wife, each wrapped up with the thought of the other, each mighty anxious to make the other happy and comfortable, each rushing to the aid of the other when some familiar reminiscence is recalled perhaps for the thousandth time, and to hear their full-throated laughter at the new-fangled notions of their children and grandchildren,—is to catch a glimpse of human nature at its best.

And of age and youth.

The family is not only a partnership between man and woman; it is also an association of the old and the young. It is the presence of children which enhances very largely the joys of family life. Children are the living poems. Life without them will be robbed of much of its beauty and rhythm. They are the natural bridges between the husband and wife. Often when they have quarrelled, their impish mischief or some sage remark will set them laughing and pave the way for reconciliation. Even when they grow up,—and

it may be said that in the eyes of the parents that time scarcely ever arrives,—they continue to be indispensable. The old know how the presence of their sons around them in some inexplicable way softens the bitterness of their earthly existence, while the sons, unless they are wholly thoughtless, realize, on their part, what a haven of refuge their parents are in moments of difficulty, and what a powerful support they would lose if anything happened to them. The one natural advantage, which the old enjoy over the young, is their vast experience. Life is like the river. As the river advances toward the sea, it ripples and dances less with laughter and song; it grows stiller and calmer; but it also grows wider and deeper, when it bears rich cargo well on its bosom. Men, who contrive to live up to ripe old age and to retain their zest for life, are not ordinary people. It is because they have led regulated lives and have conquered over their difficulties, that there is something attractive about them. Beautiful young people are accidents of nature, but beautiful old people are works of art.

Jars of family life.

It is thus obvious how the family by establishing contact between the opposite sexes and ages furthers the cause of human unity. Not that it is always easy to fuse these incompatible elements into one harmonious whole. Complete understanding between the married couple or between them and their children is hard to come by. The married life of Socrates and Carlyle was a dismal failure. How seldom does a perfectly simple human relation exist between a boy and his

father. There is often a great deal of affection on both sides, but little of the true spirit of companionship. Little boys are odd, tiresome creatures with savage instincts and, when they grow up, are likely to be headstrong and vain:

We call our fathers fools, so wise we grow,

No doubt, our wiser sons will call us so.

Many fathers, on the other hand, it must be admitted, feel that if they are to maintain their authority, they must hold themselves a little aloof. Chateaubriand, the brilliant French writer, has declared how his mother, his sisters and himself were frozen into statues in his father's presence, and recovered breath only when that presence was removed. Such parents in their old age grow even more exacting. They want to keep their children in leading strings when they are no longer needed. Old people become excessively talkative and moody, and denunciation of the young seems to be a necessary exercise for keeping them in health.

✓ Demerits of family.

This is one defect of family life. Excessive devotion to the family, at the extreme end, is another. Most men and women love their families too much, and as a consequence they love mankind too little. 'No family like our's' is an attitude of mind not seldom encountered. At baby-shows women have been known to fight like cats over the relative merits of their little darlings. But the claims of the family, if they are valued too highly, are bound to come in conflict with those of the State. Plato was so deeply impressed with the seriousness of the problem that he suggested the

abolition of the family for the ruling classes. He foresaw the possibility of favouritism. Nor was his fear without foundation. Even such great men as Marcus Aurelius, Oliver Cromwell and Napoleon have not been able to rise above this weakness. Those, who are impressed with the rights of the family, are apt to find fault with the ever-widening circle of State activity. They would, for instance, oppose compulsory education in State-managed institutions and compulsory military service. In various other ways, family proves a hindrance. The friends of those, newly married, have been known to complain of neglect. Nor is it possible for a married man, specially if he is burdened with a large family, to give undivided attention to his profession. Many an artist has been forced to produce work of a decidedly low quality in order to earn a sufficient livelihood, when, had he been single, only masterpieces would have emerged from his studio. Sometimes an attractive hobby or important public work has had to be given up altogether for domestic reasons.

Family, the source of warmth and beauty.

But when all has been said against the family, there yet remains a large balance to its credit. The word 'home' is associated with all that makes life beautiful and sacred, with tender memories of joy and sorrow, and specially with the first eager outlook of the young mind upon a wonderful world. A man does not, as a rule, feel much sentiment about his office or factory. It is the family to which he is attached by a spiritual and poetic tie. We might heartily agree with Mrs. Bonsanquet when she says: "Even if the

world could carry on without the family, it could not afford to lose the qualities which would go with it. It is a sombre world as it is, and no shade or tone of feeling that makes for depth and variety and richness can be spared from it. To reject the source of so much warmth and beauty, because it sometimes fails, would be like banishing the sun from the sky because it is sometimes covered with clouds."

What society owes to family.

The family is society in miniature. Its great importance lies in the fact that all those qualities, which form the basis of social life, are first developed within the family circle. Let us examine some of these qualities a little more closely by taking them one by one.

(1) Foremost of these is disinterested service. What impresses one about the family, is the readiness with which the parents are willing to make any number of sacrifices for the good of their children. When a child is sick, the mother would lie awake for countless hours, unmindful of her own health. The father would be equally willing to incur any amount of expenditure on doctor's fees, medicines and fruit. Their object in life is to see their children happy, and they spend themselves in their service without any hope of recompense. All of us owe a deep debt of gratitude to our parents which can never be fully repaid. But we must carefully note the fact that sensible parents do not expect too much of it. The love of the children for their parents can never fully match the great love which the parents bear towards their children. Parental love is a natural phenomenon; it is not a matter of close

association or convention. The way, in which most of us discharge our debt to our parents, is not by returning their love in equal measure but by being in our own turn, equally affectionate towards our children. And thus the round of life goes on. The moral is that we should do public work without the hope of reward. If recognition comes, well and good; if it does not, it should rouse no complaint.

(2) The family teaches the quality of adjustment. It is, really speaking, not one society but three which are blended into one—the society of husband and wife; the society of parents and children; and the society of master and servants. To be able to maintain a just balance between them requires a high degree of self-restraint and a lively appreciation of the claims of each. The master of a household must not only uphold the authority of the mistress, but should do so in such a way that the maid does not feel called upon to give notice. Or take another case. Supposing that the son wants to join the cinema to which the parents are opposed on the ground that the cinema is immoral or socially inferior. Then they are entitled to express their opinion and to dissuade but not to use pressure. Old and young alike, as soon as years of discretion have been reached, have a right to their own choices, and, if necessary, to their own mistakes. The family by creating situations of this kind and by its judicious handling of them, trains the people for the large sphere of life. Social life is nothing but an adjustment of rival claims.

(3) So far as the children are concerned, it teaches them the very necessary virtue of obedience. Corpo-

rate life is impossible without discipline and it is good that while the mind is still plastic, it should be accustomed to the position of not being always able to have its own way. The question of punishment is a thorny one, for love and kindness must be tempered with justice and firmness. It should, however, be understood that no punishment which causes fear and loss of self-respect is ever going to do any good. It will only cause lying and deceitfulness. Our purpose is to develop character and we should, therefore, try to understand children and help them to see the difference between right and wrong. Patience is required to form their good manners; but neither fear, nor bribery in the form of rewards and prizes, should be used to compel obedience. The parents should rather seek to inspire right conduct from motives of love and kindness. This will be the right preparation for their after life.

Merits of family.

The merits of the family have been well summed up by Prof. Ernest Barker: "The purpose and meaning of life begin, and remain very largely to the end, in the family. It is a small but a total society: its interests and its endeavours are catholic; it is a unit of religion and education and mutual moral discipline as well as an economic and social unit: it exists for the worship of God and the service of man."

Exercise

1. Describe the main characteristics of the Aryan and Roman families.
2. "The family is a society which unites together three different sorts of groups: the husband and wife; the parents and children;

the master of the house and his servants.' Show how such a combination has its attractive as well as difficult side.

3. Is family affection an altogether desirable thing? What have been the economic and social consequences of family attachment in India?

4. 'Family is the eternal school of social life.' Show how social virtues are first developed within the family circle.

5. 'The family as an organisation differs not only in size but in nature from all other social organisations.' How?

CHAPTER VI

EDUCATION

Aim of education.

The aim of education is twofold: to develop the innate qualities of the child and to fit him for society.

The child desires:

- (1) to talk and to listen
- (2) to act (in the dramatic sense of the word)
- (3) to draw, paint and model
- (4) to dance and sing
- (5) to know the why of things
- (6) to construct things

Natural bent of the child.

Rarely are the children quiet. They love to sit where conversation is going on and they are even more eager to do the talking themselves. After they have come back from a garden party, they would prattle for hours of the people they had met and of the things they had been given to eat. This is called the communicative instinct. A child wishes to convey his thoughts, his feelings, his impressions to others. Acting comes naturally to the child. Many of their games consist of impersonation; playing at Ram and Sita, Radha and Krishna. Nothing makes them more excited than a forthcoming play in which they have been allotted parts. A child may be relied upon to spend endless hours in sketching and painting and in making

models. If he happens to get hold of a piece of charcoal, he will fill the walls with quaint figures. One of the commonest pastimes among the children, is the making of clay forms. As for music, everybody, who owns a radio set, knows what a powerful appeal music makes to the soul of a child. In this, the child merely repeats the life history of the race, for, even when man was savage he was thrilled by music. It is unnecessary to dwell on the sense of curiosity which is one of the most marked characteristics of the child. He is never tired of asking questions, which, though they might sometimes appear to be trivial to the adult mind, are always of great importance to him. That indeed is the secret of the rapid mental progress which he makes. Finally, the child loves to construct things. He will pull his toys to pieces in order that he may, if possible, reconstruct them. Many European children have their sets of Meccano with which they build bridges, cranes, railways, boats etc., and one of the most common sights which one encounters on the seashore is groups of children provided with spades and little buckets, engaged in the task of constructing castles with surrounding lakes. In short, what the child desires is mental and bodily activity, the training of the ear, of the eye and of the hand and the satisfaction of the impulse to create.

Social Education.

But the purpose of education is not merely to unfold the latent capacity of the child. What is even more important, is to give him a particular direction suited to his instincts so that when he grows up, he becomes a

useful citizen. "It is not primarily for his own individual good," says an educationist, "that a child is taken from his free and wandering life of play. It is for what society can get out of him, whether of a material or spiritual kind, that he is sent to school." Knowledge and power, which a child's nature prompts him to acquire, can prove to be a curse, instead of a blessing, if they are used, as they have not seldom been used, for anti-social purposes. We must, therefore, consider carefully the particular kind of training which he should receive.

Mental training.

To take up mental training first. Every citizen must be taught to read and write. This is necessary in order to increase his productive efficiency. Moreover, as Bernard Shaw has often pointed out, men, who cannot read and write, are a nuisance and ought to be 'prevented' in the same spirit in which we set out to prevent other nuisances such as defective drains, smoke and dirt. Subjects like languages, mathematics, physics and chemistry, history and geography must be included in the curriculum. But the object of such studies must not be the passing of a given examination, but the development of intellectual powers; powers of quick apprehension and concentration of thought. Great discrimination is needed in the teaching of such subjects as history and geography, for, on their right treatment depend the peace of the world. History, as it has till now been taught in schools, has not been a faithful account of incidents but a distortion of facts to suit national prejudices. Every country comes out

best through histories written by its own people. Every effort is made to praise its own exploits, to defend its own policies and to belittle or blacken the record of other countries. Such an attitude of mind must be given up. The teacher has to produce in the minds of his pupils some understanding of the gradual development of society; of the limited range of experience of early races; of their gradual co-operation to achieve common ends; of the benefits that civilization brought, and the price that had to be paid for these benefits in the shape of law. He has further to suggest that just as the whole history of civilization has been the replacing of the law of the jungle by the law of public right, so the law of the jungle in international affairs will have to be revoked before there can be any ordered international life. In the teaching of geography also, stress must be laid on the fundamental unity of the world and its interdependence.

Physical training.

In no way inferior to the development of the mental faculty is the care of the physical body. No man can serve society unless he is physically and mentally robust. When a boy goes out of his school or college, he should be full of life and vigour, ready to take up the burden of work of the world. Individual physical exercise is good, but better still is participation in team games which bring out certain highly desirable qualities. These are quickness of thought, alertness in seizing the situation, swiftness of decision, accuracy of judgment and promptitude in action. These qualities are best developed on the playing field. Discip-

line and co-operation too are learnt there. The boy, who plays for his own hand and not for his side and who is careless whether his side wins or not, will grow into a bad citizen. Another boy, who has learnt to work with others by subordinating himself to a common object and to set aside his personal triumph before that of his team, has the making of a national leader in him. The lesson of sportsmanship is equally well-taught. The boy learns in the game to take a kick or a blow without bad feeling and to go on in spite of it—a necessary equipment for the rough and tumble of public life.

Training of the emotions.

The training of the emotions is the third great task of education. Modern discoveries have revealed the enormous part which they play in life. They are the basis of the family, the town, the community and the nation—the great binding force. But emotions are of two kinds, those which build and sustain, and those which destroy. It is the latter emotions which cause family differences, communal riots and international wars. All the emotions, however, can be reduced to two basic ones, those of love or hate. That being so, the culture of the right emotion becomes at once the duty of education. Every child must be taught to love his fellows as if they belonged to his family and to love his nation as if it were a part of his family. In fact, the whole world should be regarded as a great assembly of families. Everything should be done to discourage the emotion of the opposite kind, the hate-emotion which lies at the root of the most serious vices, which

breaks up human relations and draws a wedge between man and man. The last great war was largely due to the fact that the men, chiefly responsible for it, Hitler and Mussolini, were emotionally very imperfectly developed.

Character-building.

The nurture of the spirit is the fourth and final aim of education. Nobody can minimise the place which character-building should occupy in any sound scheme of education. Character depends on habits so that great care should be taken to see that children form good habits. The parents by good home management, can train their children in the social habits of cleanliness, punctuality and politeness, which can further be strengthened by healthy school influence. A good practice is to assign some of the household and school work to children and to make them responsible for it. A sense of duty can thus be aroused. The care of pets, like dogs, which necessitates regular feeding, will serve this purpose admirably, besides teaching kindness. At school children may be asked to tidy their class-rooms and to water the plants in the garden. Practical work of this kind needs to be supplemented by moral instruction. Children should be made familiar with the principal virtues such as courage, temperance, truthfulness, thrift, industry and perseverance; fair-play, gratitude, benevolence and patriotism. That they may become virtuous, it is necessary for them to be told what virtue is. Such teaching can best be given through short stories. Children appreciate stories, poems and tunes before they can understand an argument or think for

themselves. Moral training, therefore, must begin with this mode of expression which can easily be assimilated and which teaches moral lessons indirectly. Later on, when the reasoning faculty has developed, the same lessons can be taught directly through philosophical studies.

Liberal education defective.

What type of education would best attain the objects here specified? Till now it was supposed that liberal education would answer the purpose. By liberal education was meant that kind of education which was directed to the general enlargement of the mind, and which was different from professional and technical instruction. This system of education involves the teaching in schools and colleges of such subjects as the languages, history, geography, economics, physics, chemistry, mathematics, etc. Undoubtedly, there are certain advantages in a curriculum of this kind. It is designed to develop some of the important faculties of man. The languages, for instance, offer good mental discipline and thought-gymnastic. They also introduce a person to literature which is a record of noble thoughts and memorable deeds. History, geography and economics give him some real knowledge of the world in which he lives and of the forces which operate around him. The value of science consists in its distinctive methods, methods to which the human mind must get accustomed if its object is the discovery of truth: observation, experiment, working hypothesis, ending in a conclusion, always subject to revision by new facts arising. But with all its merits, there is a

serious defect from which the liberal education suffers. It does not directly help an individual to earn his living. Nor does it give sufficient exercise to the creative element in man. The pitiful results of such a system are clearly visible in India where thousands of graduates are unable to secure employment and for whom society has no use.

Wardha scheme of education.

The scheme of Basic Education, evolved at Wardha, embodies some of the most recent ideas on the subject and it is peculiarly well-suited to the conditions of India. Its underlying principle is 'learning through doing'. Children are to be compulsorily taught between the ages of seven and fourteen. The syllabus is to include the subjects hitherto taught for the High School Examination, with this important difference that English as a compulsory subject is dropped and a craft added. But the craft is not to be merely one of the subjects taught; it is to provide the nucleus of all the instruction given in the school. Thus if a student has taken up spinning and weaving, he will not only learn this handicraft but will acquire at the same time interesting information of various kinds, all naturally arising out of the work which he is doing. He will learn counting and measurement, will get some idea of the different kinds of soils and climates, and will obtain some insight into history by being told how the primitive man covered himself with leaves and skins and that it was at a later stage that he learnt the use of wool, cotton and silk. It should be added that only a certain amount of knowledge can be imparted in this way. To relate all kinds

of subjects in their varying complexity to the basic craft will be artificially to overload it.

Merits of basic education. ✓

The system of basic education has three clear advantages. Firstly, it is inexpensive since the articles, made by children, can be sold, and the money used towards education. Secondly, the child learns some useful handicraft which he can later adopt as his means of livelihood. Thirdly, the child secures some general knowledge and mental training. The last point is so important that it deserves more than a passing reference. Supposing that there is a child who wants to make a wooden box to put the books in. Before he can actually start making it, he must have some clear and definite idea of what he is going to do. He must do a lot of thinking—what wood he is going to use, what is to be the size of the box, how much time it is going to take. He will have plenty of work to do and carefully too—sawing the wood, cutting it into planks, smoothing their surface, joining them together in such a way that there are no awkward corners. Putting the polish will finish the work. But by this time the child would have acquired some knowledge of tools and processes, and he would have had plenty of opportunity to gain discipline and perseverance by his effort to overcome obstacles.

Pre-basic and post-basic education.

The basic education should be supported at the two ends by what might be conveniently called the pre-basic and post-basic education respectively. The first

is to be for children between three and seven years of age and to follow the Montessori method. It may be doubted whether such small children can take up craft-work; but it is plain that health, formation of habits, activity that promoted the development of intelligence and the senses, are to be the main consideration. The post-basic education is to be for those who have completed their basic course and are selected on grounds of superior talent for higher training. There will be a diversified system of institutions suited to the various aptitudes, and such colleges will provide higher instruction in technology like engineering and agriculture, physical sciences like physics and chemistry, social sciences like economics, commerce and politics, vocations such as law and medicine, and arts comprising languages, philosophy, history, etc. The principle here also will be education through work, the precise nature of which will be decided by keeping in view the needs of national life. This qualification, if properly regarded, will prevent intellectual vagrancy and waste of effort, and will help to produce citizens who, instead of spending years debating what they are fit for, will know and most probably obtain their proper assignment in national life.

The great merit of the Wardha system of education is that it combines the virtues of the liberal education as well as of the technical one. We have seen that the first is incomplete, because, it does not enable men to earn their sustenance. Technical instruction too in itself is not enough. An engineer has to correlate his knowledge with the world outside. He has to handle not only machinery, but also men, and so it is essential that

his education should cover not only the technical side, but also a pretty wide range of sound general education.

Adult literacy.

Along with the education for children, steps must be taken to provide adult literacy. Only 12% of the population of India is literate which means that thirty-five crores of the people are steeped in darkness. Adult classes must spring up everywhere like the green blades of grass in the rainy season. The aim should be not only to teach general knowledge, but to improve the economic condition of the pupils through the teaching of some craft or profession. While learning the craft, they should get acquainted with health, hygiene, sanitation, civic rights and obligations, co-operative effort. Useful and cheap literature on topics of practical interest should be profusely produced. The number of reading rooms and libraries should be considerably increased. An endeavour should be made to revive the indigenous theatre, folk dances and folk literature. In making plans for the removal of illiteracy, something of value might be gained from a study of the "Little Teachers' Movement" of China. In that country children became the little teachers of their own parents and hastened the day of general enlightenment.

Politics and students.

A question of great practical interest is the question of the student's participation in politics. Few will be found to disagree with the view that they should be allowed and even encouraged to discuss politics. Some sort of politics, good or bad, they are bound to have,

and if they are not taught the right sort of politics by frank discussion, they are likely to have all kinds of wild ideas on it. In the Unions of British Universities political questions are freely discussed and eminent leaders are invited to take sides. The practice has been widely adopted in Indian Colleges which have their debating societies or parliaments. But whether students should take part in political work admits of much difference of opinion. On the one hand, there are those who feel that while the rule, forbidding the student's direct interest in national politics, is a healthy one in countries which enjoy self-government, it is clearly out place in India where the brunt of political struggle must fall on the student community. The moderate view is opposed to such a course and has been well expressed in the following words of Dr. Annie Besant: "Politics is a serious matter. It plays with the lives of men, the honour of women, the safety of life and property, the stability of social order, and I am not prepared to commit these great issues to the weak hands and untrained brains of school-boys and college students. I would rather turn them loose in a laboratory full of chemical explosives than into the whirl of public life, where they may, in mere excitement and folly, cause a riot in which lives may be lost and property destroyed."

Exercise

1. What are the natural characteristics of children? Frame an imaginary prospectus which might be suitable for their studies.
2. On what principles should the education of children of a democratic State be based?

3. Explain why sports should occupy a very prominent place in any scheme of education.

4. What should education precisely aim at? Should it prepare one for one's livelihood or make one into a cultured citizen?

5 Give the main principles of the Wardha Scheme of Education.

6 'Whether students should take part in politics is a question which easily admits of two views' Point out the two views and indicate your own preference

CHAPTER VII

RELIGION

Origin of religion.

There is no doubt that religion was born of fear. The primitive man had little understanding of the forces of Nature. The high majestic mountains, the roaring sea, the starry heavens, the deep, impenetrable forests filled him with awe. The clock-like regularity with which Nature repeated its processes, the unfailing succession of day and night and of one season by another excited his wonder. Its more violent manifestations like lightning, storms, earthquakes and floods struck terror into his heart. Above all, it was the phenomena of life and death which made him feel utterly small and helpless. He could not comprehend how a fellow-being who was full of life and movement and in the fullest possession of his senses only a little while ago could be reduced in the twinkling of an eye to a clod of earth. And even more important than this was the question what happened to him after he was dead. Religion was the attempt to solve these riddles. The conclusion was forced upon his mind that there were invisible, unknown powers, evilly disposed towards him whom it was necessary to subdue and control for his own advantage.

Belief in God.

Gradually, however, this phase of religion passed. With his growing intellect, man was able to perceive that on the whole Nature worked beneficently and that the proper attitude to adopt towards the powers of

Nature was not one of hostility but of humbleness and prayer. Later, when he had become sufficiently civilised he realised that the world was an ordered and comprehensible entity and not a thing of chance, and that behind the spirits of Nature or gods and goddesses there was one Supreme God. He was able to see in everything a purpose and a design which brought to him the conviction that somewhere was its author, the Supreme Intelligence, single and undivided. This belief was further strengthened by moral reflection. Something in human nature demands that there should be perfect coincidence between virtue and happiness, and between vice and pain. We feel that virtue should lead to happiness and vice to pain. Yet we know that in actual life this is not so. We do not find in this world that the virtuous are necessarily happy. On the contrary, we often find that the good suffer and the wicked prosper. Hence our belief that there is a Supreme Being—a moral governor of the universe—who would ultimately reward the virtuous with happiness and punish the vicious with misery. ♦

What religion means.

Religion may perhaps be best defined as man's belief in a being or beings, mightier than himself and imperceptible to his senses, but not indifferent to his sentiments and actions, with the feelings and practices which flow from such belief. The higher forms of religion believe in a personal God, one who is infinite and absolute and all-perfect. All of them rest upon faith as distinct from reason. God indeed would be hardly worthy of worship if everything about him were known.

and a religion that could be fully explained in terms of human reason would, strictly speaking, be no religion at all. Unquestioning belief is the basis of all religions. Their acceptance by faith, even when they seem to conflict with reason is a test of our devotion and a meritorious confession of our dependence on the Supreme.

Merits.

It is curious how much of good and evil lies intermixed in all religions. Religion has been a factor of great importance from the point of view of human progress. Its greatest achievement has been the holding of society together. It lays down principles of behaviour for everybody which if acted upon will lead to social solidarity and peace. Literature, architecture, sculpture, music, in fact all the fine arts, are enormously in its debt. Nothing has stirred human imagination so much as the contemplation of divine attributes; no finer buildings have been built than the ones dedicated to God. Religion has brought consolation and peace of mind to millions of souls. It has inspired countless men and women to acts of high personal courage and public devotion. It has taught the lesson of the conquest of the flesh and of total renunciation. Many have turned over their wealth to the use of the poor, many have abandoned their wives and children, and many have exiled themselves from their native land under the domination of some religious impulse. A great deal of the world's educational and humanitarian work has been initiated and shouldered by religious organisations.

Demerits.

But religion has done a great deal of harm also. Many wars have been fought in the name of religion and many innocent men have been burnt alive. Religion has stood in the way of a proper appreciation of other people's thought and culture. Some of the religions have arbitrarily divided mankind into those who will be 'saved' and those who are 'damned', according to whether they are the followers of those particular religions or not. In India, religion has lowered the position of women, has enforced compulsory widowhood and produced the curse of untouchability. In its name, the poor have been induced to part with what little they had in the way of worldly possessions, so that their offerings might add to the riches of the licentious priest. Religion in the shape of the theory of Karma has reconciled the conscience of the prosperous to the sufferings of others less happily circumstanced than they.

Many of the above evils have sprung from certain defects which religions have. They may be listed as follows:

(1) Superstitions, i.e., certain beliefs or practices, the non-observance of which is supposed to be followed by evil consequences, although such fear is wholly irrational. Thus among the Hindus, travelling on certain days is held to be inauspicious.

(2) Idolatry, i.e., the worship of images made of stone, metal, etc., as symbols of God. There is no great harm in idolatry, provided one does not forget that they are merely symbols. But the danger is a real one. To erect an image is to give too concrete a form to God who tends to be regarded as a human being.

though of a superior order. The devotees then think that just as it is possible to win over men by flattery and presents so in a similar way it is possible to secure the good offices of God by a show of penitence and costly offerings. Idolatry, moreover, inevitably gives rise to a priestly class, whose duty it is to look after the images, and we all know what priesthood means.

(3) Dogmatism.—All religions contain some doctrines which are not based on reason but simply on authority. Thus in the Roman Catholic Church, the Pope is supposed to be infallible, though being a human being, it is difficult to see how he can be always right. In Islam, Mohammad is supposed to be the last prophet, though there is no reason to think why the long line of prophets should come to a close with him when humanity continues to follow its evil ways.

(4) Sectarianism.—Religions are usually divided into rival sects as Islam into Shia and Sunni and Hinduism into Arya Samaj and Sanatan Dharma. The broad principles of religion are lost sight of and attention is focussed on doctrinal differences. One sect finds fault with another and the result is hate instead of amity.

(5) Fanaticism.—Each religion or sect believes that it has the monopoly of truth and that those who refuse to follow it are naturally wicked. This leads to intolerance and persecution. As a rule, polytheistic religions have proved to be more tolerant than those which insist on the unity of God. The first type is made up of a number of gods and it is easy to add one more by borrowing the God of the opponents as Hindu-

ism did by recognising Buddha as an incarnation of Vishnu. Persecution has been the greatest blot on religion. Many exceedingly virtuous, lovable and learned men who stood for the liberty of conscience have been its marked victims. And the worst of it was that those who committed these crimes were themselves good men, actuated by the highest motives.

(6) Hypocrisy.—Many religious organisations have been business corporations. The priests in whose hands power lay aimed at getting wealth from the faithful and spending a life of idleness and luxury. The goal of business men is openly to make profits. Religion, however, is supposed to aim at the public good. Hence, there is more hypocrisy in religion than in business transactions. The Pandit does the *jap* partly for his own benefit, though all the time pretending that his motive is wholly disinterested. In the temple of Vishwanatha at Benares, while the unsuspecting devotee is pouring milk over the idol in the confident belief that his heart's desire will be fulfilled, it is being collected in a silver *kalsa* just across the wall. The milk will be boiled and distributed among the Pandas and if there is a surplus it will be even sold in the market and the sale-proceeds pocketed by the public benefactors.

Conclusion.

Yet religion with all its faults has been a great agency for doing good. What is necessary is to purge it of its shortcomings and not to throw it overboard. It has offered some solution of the baffling problems of life and thereby satisfied that side of human nature

which is out for discovery. It has enabled the people to bear their hardships in life and to resign themselves to their fate by opening up before them the prospect of a happier world hereafter. Life on the face of the earth is toilsome and dull and freedom for many of us is non-existent. The only freedom which we can have is the freedom of the imagination. Religion has created a whole world on which we can hitch our dreams. If we are unhappy in this world all the more reason to hope that we shall be happy in the next and while this world is transitory, the other has all the advantage of permanence. But the greatest service of religion has been the spreading and enforcement of morals. Ordered life is not possible without a highly articulated system of morality which is universally observed.

Necessity of religion.

It may be argued that since moral principles like respect for the parents and the teachers, charity, truthfulness are such to which no reasonable man could object, where is the necessity of giving them a religious tinge? In short, the implication is that everybody will adopt these principles by the light of his own reason without being told that they are the commandments of God. This may be true of some of us. But on the whole something beyond this is needed, something more positive and compelling. The higher and purer spirits among men are able to forge on the anvil of their hearts lives of duty without reference to outside direction. They have an instinctive consciousness of right and wrong which has grown up with their being. But to the mass of mankind steeped in ignorance, moral

injunctions carry no meaning unless they are addressed in a more positive form and clothed with the authority of some supernatural being. Nor is punishment a sufficient sanction. To be impressed with the idea that a certain act, either of commission or omission is a sin before God is far more effective in curbing the mind than the mere fear of law and force as exercised by a governing human power.

What religion should do.

But it should be remembered that ignorance is being dispelled, gradually it is true but none the less surely. The cruder forms of religion can no longer serve their purpose. The only religion of the future is the religion which can make appeal to human nature at its best. It must be free from the alloy of superstition and bigotry and in harmony with all that we know about ourselves and the universe. It should not encourage barren theological controversies but preach one universal golden rule of life. Its object should be the elevation of humanity towards that perfection which is the end of our existence. It must bring us nearer to God whose basic qualities are truth, beauty and goodness.

Religious instructions.

If such a religion is to operate for the future, it is necessary that children are given religious instruction. We have already seen the need of moral lessons and the easiest way to teach them is to give them a religious flavour. Children do not understand abstract propositions. If a child is asked to speak the truth and the explanation given is that if people uttered falsehood

social life will become impossible, he will remain unconvinced. If, on the other hand, he is told that God will be displeased with him if he told lies, he will be visibly impressed. Religious teaching can best begin with the home and carried into school and college classes. Hindu children may be taught stories from the Mahabharata and the Ramayana. In actual fact this has been done for a long time and there is scarcely a boy or girl who is unacquainted with Tulsidas's Ramayana. He has learnt to admire the piety and unselfishness of Bharat, the enthusiasm and high courage of Lakshman, the affectionate devotion of Sita, and the purity, meekness, generosity and self-sacrifice of Rama, the model son, husband and brother.

A practical suggestion.

For schools and colleges, suitable text-books might be prepared. In the present state of Hindu-Muslim relations, it is not to be hoped that a common book will be acceptable to both the communities. Perhaps, the best course will be not to attempt religious instruction in State-managed institutions but to confine it to denominational bodies, i.e., institutions managed by the Hindus, Muslims, Christians, etc. The object of such teaching should be to draw the various communities together until an atmosphere is created when the same text-book might be taught everywhere. A text-book of Hinduism may be suggested on the following lines: The religious and ethical training should be of a wide, liberal, and non-sectarian character, inclusive enough to unite the most divergent forms of Hindu thought. It should be directed to the building up of a

character, pious, dutiful, strong, upright, gentle and well-balanced—a character which will be that of a good man and a good citizen. That which unites Hindus in a common faith must be clearly and simply taught; all that divides them must be ignored. Lastly, care must be taken to cultivate a wide spirit of tolerance, which not only respects the differences of thought and practice among Hindus but which also respects the differences of religion among non-Hindus, regarding all faiths with tolerance as roads whereby men reach the Supreme.

State and religion.

A few centuries ago, there was the theory of 'One State, one Church'. All the people belonging to one country were supposed to profess the faith of their ruler, and if there were any who did not, they were persecuted. Thus in England under Mary Tudor, the Protestants had to suffer great hardships. In India in the reign of Aurangzeb, the temples of the Hindus were demolished, they were shut out from the public offices, and had to pay a poll tax. Opinion has now come to the certain conclusion that the State must not identify itself with any religion. A State Church cannot exist without religious, social and financial inequality. Moreover, a Church can never be a free and independent moral force while it is supported by the State. The clergy come to regard themselves as the paid advocates of the Government, and consequently, even if they do not support current abuses and resist reforms, passively abstain from open criticism. But this does not mean that the State should refuse to encourage activities which seem to meet a national need. This is clearly so

where educational and humanitarian work is concerned. Schools, colleges and social services even where they are run by religious associations have a right to financial aid and general support. But the State should offer no help of any kind in the work of religious conversion.

Thus the policy of the State should be based on toleration. The State should see, in the first place, that such toleration is observed by religious bodies in their relations with one another, and in the second place, it itself respects their susceptibilities. Toleration, however, cannot imply non-interference with anti-social or inhuman practices which are sometimes carried on under the cover of religion. Infanticide, child marriages, Suttee, have, strangely enough, been defended on religious grounds. Even the Thugs who strangled their victims to death imagined that they were performing a meritorious religious act. It would be best if such abuses were put down by society itself for once the State is allowed an opening, it is difficult to stop its further ravages. But if the evil is too deep-seated and the more thoughtful section of the community is desirous of change, the State may legitimately step in to stop these practices.

Religion and politics.

If the State is free to interfere with religious organisations, are they in their turn entitled to concern themselves with politics? Generally, it may be said that the Churches are concerned with religion and private morals. They should remain outside the arena of political controversy and limit themselves to presenting ideals on which all people of goodwill may draw for

inspiration and guidance. They should not lay down rulings in matters which necessarily admit of doubt or of different points of view. But it must be remembered that these bodies are made up of human beings who though interested in their religions are equally interested in safeguarding their worldly claims. As Samuel Butler has said, "Men will never utterly give over the other world for this, nor this world for the other." This explains why in the India of today there are a number of associations which are confined to members of a single religion and whose activities are frankly political. The Akalidal, the All-India Muslim League and the Hindu Mahasabha are associations religious as well as political. No great objection can be taken to their efforts to improve the economic and political position of their members, but if they are really permeated by the religious spirit, they should not make extravagant demands and be willing to accept a just settlement of their claims.

Exercise

1. How did religion arise? What do you consider to be the essence of religion?
2. Discuss the merits and demerits of religion.
3. Are you in favour of religious instruction being given in schools and colleges?
4. What should be the policy of the State in regard to religion? How far will you allow the State to interfere in religious matters?

CHAPTER VIII

THE STATE

All-pervasive character of State.

Next to the family, it is the State which exercises enormous influence and control over us. A newly-born child has to have his name and date of birth recorded in one of its offices. When he grows up a bit, it is to its schools and colleges that he is sent which if not maintained by the State are largely financed by it. After completing his education, he may enter a Government service but even if he decides to take up some independent profession or business, he will very soon discover that its conditions of work are to some considerable extent regulated by the State. What is more important, he will find the State stretching out its hand to claim a substantial portion of his income in the shape of rates and taxes. While going to his office or factory, he will use the roads constructed by the State and if on the way he gets a sunstroke will be admitted to one of its hospitals and the news flashed to his relatives through the Government Telegraph Office. If he dies, his name and age and cause of death will have to be recorded before he can be cremated, and if he recovers he may be forcibly sent to die on the battlefield where even the ceremony of cremation will not be available to him. This gives a faint idea of the way in which we are surrounded on all sides by the modern State. Our peace, security, comfort, health and well-being all depend on the wisdom of its policies and the efficiency of its administration.

State defined.

It is, therefore, most essential for us to understand what the State is. Perhaps the best definition of the State is the one given by Prof. Garner: "The State is a community of persons, more or less numerous, permanently occupying a definite portion of territory, independent or nearly so, of external control and possessing an organised Government to which the great body of inhabitants render habitual obedience." The fact which clearly emerges from this definition is that four conditions must be necessarily fulfilled before a State can be said to exist. A State must have (1) Population (2) Territory (3) Government and (4) Sovereignty.

(1) Population is the first requisite of the State. An uninhabited island like Robinson Crusoe's cannot be said to form a State. But no definite number is necessary; the population might be either large or small. It is obvious, however, that if the number is very small, the State must remain comparatively unimportant, while if it is too large, there may be lack of cohesion.

(2) Territory is equally essential. A people living in the hunting or pastoral stage and constantly moving from place to place cannot be said to constitute a State even though they might have some sort of governmental organisation. The tribal people have a chief who exercises authority among them but because they do not have a permanent abode which they can call their own, they do not come within this category. Just as the States differ from the point of view of their population, so also there are large variations in the matter of the area occupied by them. On the one side there is Russia

which covers an area of several million square miles and on the other the tiny State of Monaco in Europe whose territory is confined over 370 acres. It is thus impossible to lay down any rule as to the maximum or minimum space which a State should occupy. But a large State must have its means of communication highly developed in order to ensure efficiency of administration. Though it is easy to point out exceptions, it is usually considered desirable that the boundaries of a State should coincide with the geographical frontiers. As territory includes not only the land surface but also the natural resources such as forests, mines, oil, it is obvious how important this factor is in the life of a State.

(3) Government. If a number of human beings live together in the same region, it is inevitable that their interests should sometimes clash. There must, therefore, be some common authority within the community itself which might resolve such conflicts, maintain order and take other steps for the welfare and advancement of its fellow-beings. Since the number inhabiting a State is large, what is required is a permanent and fairly complicated administrative machinery which might ensure conditions of peace, security and decent living. Such a machinery might be the outcome of a mutual agreement among the people as has happened with nations which had reached a certain stage of development or it might be the result of compulsion based on the conquest of the weak by the strong. In either case, Government is the instrument through which the state carries on its dealings with its own citizens and with other States. Without it, the State will be powerless to express its will.

(4) Sovereignty. When the Government has absolute power over every individual and association within the territory and when it is wholly free from outside interference, the condition of sovereignty is satisfied. Thus sovereignty has two aspects. It means, internally, that there are no rivals, and externally, that there is no foreign power to which it is subject. Political independence is another word for sovereignty.

Some examples.

All the four conditions mentioned above are absolutely essential. If any of them is missing, then whatever other term might be used, the term 'State' will be out of place. If we take the examples of Great Britain, the United States of America, China and Afghanistan and compare their characteristics, we shall find that in spite of many differences, they satisfy these cardinal conditions. At the present day almost all the peoples inhabiting the globe have their own territories and possess some sort of political organisation, so that the real difference boils down to one of sovereignty. Great Britain is a State while India till now was not, for though India was the name of a well defined country occupied by Indians and had an elaborate system of administration, it had no independence. Great Britain constantly interfered in its affairs. Similarly, the Indian States despite their name were not States in the strict sense of the word, their dependence on the British Government being so thorough.

State and Society.

In order that we may understand the nature of the

State better, we may distinguish it from organisations more or less resembling it. First of all comes the 'Community' or 'Society' by which is meant a number of human beings living together, bound by a common stock of conventions, customs and traditions and conscious to some extent of common interests and objects. In this sense we speak of an agricultural community or a pastoral society. Thus while the word 'Community' or 'Society' is general in its scope and can be used for all kinds of social organisations, the word 'State' has a limited application and can be properly used only for such classes of people as fulfil the four requisite conditions. A study of a particular State, say France, will concern itself with the political relations of men comprising it, i.e., how they are governed, while a social survey of the same people will embrace a consideration of all the possible ways in which they influence each other and will include a study of their origin and development, their economic organisation, their language, the place of religion and custom, mode of life and behaviour, the state of education, crime, etc. The term 'Society', let it here be added, is also sometimes used in a narrow sense when what it means is a group of individuals brought together for some particular purpose, e.g., the Literary Society of Victoria College, Gwalior.

State and Government.

Whenever there is a group with an orderly mode of life controlled by law, there must be some recognised authority that makes the laws and sees that they are carried out. Such an authority is Government. The relationship between the State and the Government is

that of the whole to the part. Everybody who lives on the territory covered by a State is a member of that State, whereas Government is constituted by those only who are actively engaged in the business of administration whether as members of the legislature, executive or judiciary. Government occupies the same role in relation with State as is done by the directors of a company in relation to the company. The company has the power of appointing the directors, of controlling their actions and of dismissing them whenever it feels dissatisfied with their conduct but what usually happens in practice is that it merely becomes a tool in the hands of its directors. A similar danger attends the working of the State. So vast is the power entrusted to Government that it is tempted to think of itself not as the agent of the State but the State itself. We remember the saying attributed to King Louis XIV of France, 'I am the State.' It is, therefore, all the more necessary that the distinction between the two should be constantly borne in mind. Only thus can governmental despotism be avoided.

State and Nation.

The State must also be carefully distinguished from the nation. The first recalls the fact of governmental control, the second has associations with the question of race. The State brings before us the picture of men living under the same Government, nation of men belonging to the same racial stock. What has been frequently observed is that men who have a common racial origin prefer to have their own independent government and so there is a tendency for the States and

nations to converge. But there are many instances in the present world where men belonging to different nationalities form parts of the same State or where the same nation is divided in its political allegiance. A good example of the former is the British Empire which consists of the English, the Scotch, the Welsh, the Irish, the Canadians, the South Africans, the Indians, etc. The latter is represented by the case of the Germans who before Hitler set out to expand the borders of Germany were members of various States, Germany, Austria, Czechoslovakia, Poland and others. But the examples show that such an arrangement is fruitful of strife. Parts of the British Empire like Canada, South Africa and the Irish Free State, which are called Dominions have become almost entirely independent while the effort to treat India as a dependency was producing very evil consequences. Hitler perhaps would not have had the solid support of his people in going to war if he could not point to the fact that large masses of Germans instead of being subject to German control were under foreign domination.

What constitutes a nation?

The principle of nationality is so vastly important that we must devote some space to discussing what it is that makes a nation. The nations which first occur to our mind like the French, the Germans and the Japanese seem to possess certain features in common such as (1) the occupation of a specific geographical area, (2) homogeneity of race, (3) affinity of language, (4) some uniformity of religion and (5) a certain identity of economic interests. People who dwell together and who are

descended from common ancestors, who speak the same language and profess the same faith, and whose material needs are of the same pattern are bound to develop strong feelings of oneness and of exclusiveness. It is of course not essential that all the above factors must be present but the larger their number, the greater is the chance of nationhood. Even more important than these are certain other conditions which may be summarised as follows: (a) common traditions, and memories of sufferings shared and victories won in common which are celebrated in national songs and legends (b) a common will to co-operate for certain purposes and (c) common political ideals. Prof. Hearnshaw has kept all these elements in view in his definition of nationality: "Nationality is that principle, compounded of past traditions, present interests and future aspirations, which gives to a people a sense of organic unity, and separates them from the rest of mankind." Tested on the touchstone of this definition, India may perhaps claim to be a nation. It is undoubtedly a geographical unit but there are large differences based on language and religion. Nevertheless, the memories of Jallianawalla Bagh and the Bengal famine, the pitiable economic position of its mass of people, and the vision of a glorious future when with its enormous size and huge population and its vast cultural equipment, it will be able to play a worthy part in the affairs of the world, are all combining fast to mould in into a nation.

A nation if it is a self-governing entity is called a State. In brief, Nationality + Independence = State. There is, however, no general agreement on this point.

Some hold that the two concepts are different and should not be confused. Thus it is suggested that Scotland is still a nation though it has ceased to be a State and that similarly Wales though it makes no pretence to sovereignty boasts of a national library, a national museum and national University. On the other hand, it is quite notorious how some States like the Balkan States of Europe are made up of heterogeneous national groups.

State and other associations. ✓

In an earlier chapter, we noticed that the State was one of the associations into which human society was divided. But there are important differences between it and the rest which deserve some attention.

(1) The membership of the State is compulsory while that of other associations is optional. All the parts of the world which can at all sustain population have been carved out among the various States so that every individual is born with rights and obligations from which there is no escape. At best, he can only exchange one State for another by shifting his place of residence and complying with certain other requirements. But membership of other associations is at his discretion.

(2) The State has powers of physical coercion. Other associations seek to enforce their rules and regulations by the pressure of public opinion or the threat of expulsion, while the laws of the State have physical force behind them. A member of a sports association who breaks a by-law can at the most be expelled but disobedience of the State may entail such serious conse-

quences as imprisonment, confiscation of property and even death.

(3) The State has a definite territory. Not so the associations which do not bring before us in any prominent way the picture of the country where they exist. The activities of the State are confined over a particular area, whereas the membership of an association may be scattered throughout the world. When we think of Great Britain, it is a particular territory that leaps to our mind, but when we talk of the Royal Geographical Society, we do not think so much of Great Britain as of a distinguished body of geographers belonging to all parts of the British Empire who are interested in geography.

(4) An individual can be a member of only one State, whereas he may join as many associations as he pleases, provided he has the necessary catholicity of interests, time, money, and popularity to get himself elected.

(5) The State is a permanent body. Associations are temporary, being founded for the attainment of specific ends and dissolved as soon as they are attained, or when interest fails.

(6) Associations have only a limited range of objects which they wish to realise; the State aims at the general good. Religious associations exist for the spiritual uplift of men; scientific societies for their intellectual advancement; and sports associations for their physical development. 'But the goal of the State is to secure his progress in all directions. This is the reason why Aristotle called the State the supreme association. The State is supreme in a double sense. Not

only is its list of objects the most comprehensive, it is endowed with power to co-ordinate and regulate the activities of all the other associations with the single aim of achieving the greatest happiness of the greatest number.

Exercise

1. Attempt a definition of the term 'state' and describe its essential features.

2. Describe as accurately as you can the distinction between the following terms: Society, Nation, State, Government and Associations.

3. How will you distinguish the state from other associations?

4. 'The state is the first essential condition of civilised life.' Explain.

5. What could Aristotle mean when he said, 'The State is the supreme association'?

6. Do you consider the following to be Sovereign States? Please mention reasons for your answer: The Jews, India, Kashmir, the Ajmer Municipal Board, Russia, the U. N. O.

THEORIES OF THE ORIGIN OF THE STATE

Meaning of theory.

One of the principal characteristics of man is his curiosity. He does not take things for granted but wants to find out an explanation of them. This trait is very strongly marked in children who are for ever asking questions: Why is the sky blue? What is lightning? Where does the baby come from? Children, however, are chiefly concerned with natural phenomena; social institutions are far too unromantic and abstruse to stimulate their interest. But some of them when they grow up are apt to turn the searchlight on the social facts. Everybody is aware of the existence of the State but it would be a fascinating question to explore how it arose. Moreover, it is quite possible that a satisfactory answer to this puzzle might not only satisfy an idle curiosity but be able to shed light on the nature of the tie which binds us to the State. The theories of the origin of the State are so many attempts made by philosophers at different times to explain the circumstances which led to the emergence of the State and to furnish us with reasons why we should obey its authority.

Theory of force.

One of the oldest as one of the most obvious theories is the theory of force. According to it, the State is the outcome of human aggression. Its beginnings are to be traced in the capture and enslavement of man by

man and the conquest and subjugation of the weaker tribes by the stronger. When a victorious war leader succeeded in maintaining his influence and power even during peace, the State began its career. The progressive growth from tribe to kingdom and from kingdom to empire is but the following out of the same process. It is not only that force has been exerted in its dealings with strangers; internally also, its mechanism is based on force. As the socialists urge, the State is a contrivance for the exploitation of the poor by the rich.

Criticism.

This is perhaps an extreme view. The current opinion is that though the state uses force, it generally does so for desirable ends. Every society contains a opinion is that though the State uses force, it generally to restrain. A professor cannot write his books if he is not sure that his neighbour will not run away with his wife, and a merchant cannot put his heart into his business if the thieves were free to make off with his gold. In this sense, all civilised activity is dependent upon a minimum background of coercion and the maintenance of this background is the function of the State. But to admit this is very different from asserting that the essential feature of the State is simply force. The essence of the state is rather to be found in the co-ordination of communal life and not in force which is sometimes needed to enforce it. A State which resorted to it too often cannot hope to have an easy time.

Divine right of kings.

Another theory which has been handed down from ancient times is the theory of divine origin or the theory of the divine right of kings. It does not simply mean that the organisation of the State rests on the will of God. So worded the proposition will be innocent enough, for, of course, everybody who is not an atheist believes that whatever exists does so by His will and the State can be no exception to this. What the doctrine really does is to prescribe the duty of obedience to the particular form of government that may be in existence at the time and in doing so it assumes a highly practical importance. For it insists that whatever be the actual type of government—monarchical or republican, benevolent or despotic—it is the one specially ordained by God and any attempt to alter it is a sin. The theory was put forth in England in the seventeenth century by James I with great severity and he denied to his Parliament any right of criticising his actions. He was the representative of God on earth, he claimed, and answerable to Him alone which really amounted to saying that he was not responsible to anybody.

Criticism.

The theory stands discredited because it makes no appeal to human reason. When monarchy was the only known form of government and when the high birth of kings and the veneration in which they were held invested them with a kind of supernatural halo, it was possible to put faith in such a theory. Today, many of the States are ruled by elected Presidents who are such familiar figures that office can hardly disguise

them as God's special representatives. The fact is that the State coming as it did after what appeared to be an interminable period of anarchy and confusion was hailed as a divine institution and the king whose presence was a guarantee against a reversion to that condition was looked upon as the chosen lieutenant of the Deity.

Social contract theory.

A more attractive theory and the one to which some of the finest brains gave their approval is the theory of social contract. According to this theory, there was a time in the remote past when the State did not exist and when men lived in a state of nature. There were no laws such as those with which we are familiar; the only law in operation was the law of nature which left ample room to each individual to do exactly as he liked. Existence under these conditions was highly inconvenient, if not altogether an unmitigated misery, with the consequence that the people decided by mutual agreement to give up their illusory liberty in return for security. They entered into a contract among themselves by which they abandoned their former isolation and bound themselves together into a civil society or body politic. The State is in this fashion the outcome of a human contract. This is the general theory but within its framework different writers have given their own interpretation of the contract. Among them the names of Hobbes, Locke and Rousseau are outstanding and we might notice in a cursory way the contribution of each.

Hobbes.

To Hobbes who wrote in the seventeenth century the state of nature was a state of war. Every one was free to gratify his desires and appetites and since human nature is selfish, this ensued in a war of all against all in which the most paying qualities were force and fraud. Life in those days was 'solitary, poor, nasty, brutish and short' and much of its bitterness was due to the fact that there was no common superior to hold the individuals in check. To get out of this terrible position, men made an agreement among themselves whereby they undertook not to use their physical might themselves but to confer it on one person or body of persons who was to use it on their behalf against the evil-doer. This was how the relationship of ruler and subjects was created but just because the ruler to whom the entire power of the community was surrendered was no party to the contract (which might have limited his authority) he became absolute. It was the peculiar merit of Hobbes to have used the idea of social contract which in other hands had been made the basis of popular rights as the firm foundation of governmental despotism.

Locke.

The state of nature as described by Locke, the contemporary of Hobbes, is not half as forbidding. It is in fact a state of peace and not of war; a state of goodwill and mutual assistance. Men have the moral sense to recognise the inviolability of such natural rights as the right to life, the right to liberty, and the right to property. It is the law of nature derived from

reason that gives them an appreciation of these things but unfortunately the law of nature is only half-understood and only feebly applied. Each individual has to interpret the law by the light of his own intelligence and to put it into force according to the measure of his own strength with the result that anarchy and confusion reign and there is insecurity of life and property. To avoid these inconveniences, it becomes imperative to replace the state of nature by civil society in which the law will be laid down in explicit turns and will be applied by independent judges. Locke clearly recognises the necessity of three institutions in which the state of nature is lacking, a legislature to make the laws, a judiciary to interpret them, and an executive to enforce them. Accordingly, the people decide by common consent to set up a government with the limited object of securing to each individual the realisation of the three fundamental rights.

It should be clearly understood that Locke makes the duty of obedience to the government dependent on the successful performance of its task by the government. As long as the government succeeds in ensuring to the people their enjoyment of natural rights, they are under an obligation to obey, but if it fails or itself begins to interfere with them, they are at liberty to overthrow it. So we see that while Hobbes had given unlimited authority to the government and had denied to the people the right of resistance, Locke carefully limits its functions and allows to the people the right of revolution.

Rousseau.

But the philosopher who left a more abiding influence than either Hobbes or Locke is Rousseau who flourished in the eighteenth century. The ideas which he taught were so revolutionary and his language so highly charged with emotion that the masses were stirred to action which culminated in the famous French Revolution. To him belongs the honour of being an outspoken champion of popular rights, of democracy, and of revolution.

The most celebrated book in which Rousseau set down his ideas is the 'Contrat Social.' Like his predecessors, he has his own version of the state of nature which is materially different from theirs. Man in that state lived a solitary, happy and care-free life. He felt free and equal, contented and self-sufficient. He had neither family nor property and was unacquainted with the use of language or dress. In one word, he was a noble savage. The state of nature was emphatically not a state of war but it was suited only to the time when the resources of nature were sufficient and the population limited. It was the increase of population which by giving rise to the institution of private property necessitated the State. "The first man," said Rousseau "who after enclosing a piece of ground, bethought himself to say, 'this is mine,' and found people simple enough to believe him was the real founder of civil society."

Property led to disputes which made it necessary that there should be formed an association which would protect with the whole force of the community the life and possessions of each member. At the same time,

care was to be taken to see that even after the formation of such a body, the individuals remained as free as before. This, of course, looks impossible but Rousseau believes that the miracle was achieved by the peculiar nature of the contract into which they entered. All of them consented to surrender their natural rights to the community as a whole and since in doing so, they conferred power on no outsiders but on themselves in their collective aspect, there was no loss of freedom. The idea is confusing, but the important thing to grasp is that Rousseau's argument had the merit of pointing out that sovereignty resided in the people and could not be claimed individually by any person or body of persons, howsoever exalted. Indeed, Rousseau made it plain that the government which was established by the sovereign people to exercise powers on their behalf had no higher status than that of magistrates who can be appointed and dismissed at will.

Hindu theory.

It is interesting to come across a variant of the theory of social contract in the Mahabharata. The story is that overcome by deep misery and despair the people held an assembly and arrived at an understanding to expel from their midst undesirable elements. For the rest, they repaired to the court of Bramha with a request that a king might be given them. The choice of Bramha fell on the sage Manu, who, however, declined the offer on the ground of the heavy responsibility which it carried. On being told that the office was one which provided unrivalled opportunities for doing good and for the preservation of *Dharma*, Manu

allowed himself to be persuaded. The theory is remarkable not only because it plants the ground of obedience in the people's own perception of what is good for them but because by invoking the assistance of Bramha it elevates what would otherwise have been a purely human device into a divine dispensation. The reluctance of Manu is also significant indicating as it does the true spirit in which political power is to be conceived.

Criticism of Social Contract theory.

Criticism against the theory of social contract can be directed along several lines. One of the easiest points to make is that the theory is historically false. Yet in fairness to these writers, it should be mentioned that they did not really believe that there ever was in truth such a contract. What they proposed to do was to explain the existing relationship between the individual and the State and they thought that they could not do it better than by pressing into their service the familiar idea of contract. The working of their mind can be illustrated by an imaginary dialogue: A. "The organisation of the State is rightful." B. "I deny it." A. "I will make you understand it. I say that the ancestors of the present members of every organised political society made a contract with each other by which each relinquished certain rights and created the present organisation of society. That being so, you must admit, must you not, that the organisation of the State was rightful?" B. "Perhaps so, if what you say as to the original contract is true. But is it true?" A. "No, it is not in the least true,

but I have told it to you, in order that you might conceive the rightfulness of the organisation of the State."

The one valid criticism is that the State is a natural institution and not a business partnership as this theory with its emphasis on contract would make us believe. It must be, added, however, that the idea of contract is not altogether fruitless. A contract implies two parties, each of whom owes certain obligations to the other. Similarly, it is possible to look upon the citizens and the State as being bound by reciprocal obligations—that while it is the duty of the citizen to obey the State, that of the State is to help him in his self-realisation.

Patriarchal theory.

A theory more in consonance with the facts of history is the patriarchal theory. It holds that the State is an expansion of the family. The growth of the family took place by the children remaining under the roof of their parents, marrying, and thus increasing the size of the group by forming new families themselves. A number of such joint families united to form a tribe or village community. It may be that in the process some of the children separated from their parents and founded distinct tribes. All such tribes, however, were related by kinship and when they formed alliances for purposes of attack or defence which gradually became permanent, the State was ushered into existence. The absolute power of the head of the family (patriarch) became transformed into the law of the State. Law implies a command disobedience to

which is punishable and the head of the family seems to have been the earliest law-giver who had power to enforce his directions or commands.

Matriarchal theory.

A corrective to this theory is supplied by the matriarchal theory which by relying on certain existing primitive communities in which descent is traced not through the male but the female comes to the conclusion that the control of the mother preceded that of the father. But it may be remarked that even among those Australian tribes in which the system of maternal descent is prevalent, it is the father who is distinctly the master of his children. The mother is in no way the head of the family; the house of the family is the father's, the garden is his, the rule and government are his.

Criticism.

In criticism of the patriarchal theory, it may be observed that while it gives a faithful account of the physical growth of the State, its attempt to strike a similarity between the nature of the power exercised by the State and that of the head of the household is inappropriate. The State depends for the observance of its commands on compulsion; voluntary co-operation is the essence of the family. Another defect of the theory is that it ascribes to one factor what was the joint product of a combination of factors. Kinship was undoubtedly a force of supreme importance in the development of society but two other forces, religion and the need of security, were equally powerful agents.

Historical or Evolutionary theory.

The early society was dominated by magic which was the precursor of religion. Naturally, the primitive man with his imperfect knowledge was mortally afraid of the forces of Nature which he sought to control in all kinds of unscientific ways. As an illustration of the use of magical devices, it might be mentioned that when they wished to make rain they sprinkled water and imitated the clouds. Wind was sold to sailors in three knots: if they undid the first knot, a moderate wind sprang up; if the second, half a gale; if the third, a storm. It will thus be obvious that the magician who performed these ceremonies for the common good ceased to be merely a private practitioner and became a public functionary. The development of such a class was of great importance in the political evolution of society. The welfare of the tribe being supposed to depend on the fulfilment of these magical rites, the magician rose into the position of much influence and repute and readily acquired the rank and authority of a chief or king. The profession accordingly drew into its ranks some of the ablest and most ambitious men of the tribe. In course of time magic was replaced by religion. The shrewder intelligences realised that it was powerless to produce results and perceived the might and majesty of Nature before whom they began to supplicate themselves in prayer and worship. The magician-king made way for the priest-king.

Religion.

But religion did not only give rise to the institu-

tion of monarchy. It acted as a great unifying principle for the whole of the community. The practice of ancestor-worship served to strengthen the bond of kinship and the family was as much a religious association as a natural one. The family expanded into the tribe but common worship continued to be the bond of union.

Protection.

The third factor which played an equally vital part in the building up of the State was the overbearing sense of danger and the desire to overcome it. When sick of the modern civilisation, we are apt to imagine that the primitive man lived in idleness and peace. Nothing can be farther from the truth. His life was a long heroic fight against the forces of Nature and the rapacity of his fellow-men. Tribal warfare was one of the commonest experiences he encountered. Inevitably, several tribes drew close to each other so as to be better able to repel attack and to carry out plundering expeditions against their neighbours. In Greece and Italy, India and China, the States grew out of forts which had been erected on the hills to serve as common strongholds or places of refuge in war. Eventually, one of these fortified towns gained supremacy over the surrounding territory and became the capital city. But though stern necessity inspired the formation of States, there gradually dawned among the people the consciousness that it could be used to serve higher ends. The State was not merely a machinery for the maintenance of law and order but a beneficent agency for the moral, social and intellectual improvement of man.

Many-sided origin of State.

It will be clear from the foregoing discussion that none of the various theories presented here is wholly adequate. As Prof. Garner observes, "The State is neither the handiwork of God, nor the result of superior physical force, nor the creation of resolution or convention, nor a mere expansion of the family." Nevertheless, all of them contain some element of truth and taken together explain pretty fully the origin and nature of the State. Force, a belief in Divine will, a realisation of its usefulness, kinship and religion are some of the many threads which are woven into the texture of the State.

Exercise

1. How did the State arise in your opinion? Is it a natural institution or artificial?
2. Summarise the theory of Social Contract as presented by Hobbes, Locke and Rousseau. Add a short criticism.
3. "The State is neither the creation of God, nor a mere expansion of the family nor the product of force." Describe briefly the theories underlying this statement. What are in your opinion the main factors which brought about the creation of the State?
4. Give a short account of the patriarchal theory of State.

SOVEREIGNTY AND THE LAW

Sovereignty defined.

Austin defined sovereignty in the following words: "If a determinate human superior, not in the habit of obedience to a like superior receives habitual obedience from the bulk of a given society, that determinate superior is the sovereign in that society and the society, including the superior, is a society political and independent." This definition brings out the character both of the State and the sovereign. The distinctive feature of a State is that it is an independent political society, the head of which does not receive his orders from outside, but is habitually obeyed by the vast majority of his people. But we might look a little more closely into the actual words employed by Austin in order to get a clear idea of what he meant. In the first place, Austin insists that the sovereign must be a human being or a body of human beings; he thus precludes the notion of the sovereignty of God. God may be the ruler of the universe but He is invisible and therefore unaccountable so that practical considerations dictate that the source of political authority should be traced to human beings and no farther. In the second place, Austin prescribes definiteness as a second condition of sovereignty. Whether the power is exercised by a single individual or a group is of no consequence so long as it is obvious to all with whom the power rests. The third condition is that the orders issued by such an authority are regularly obeyed and the fourth that they

are so obeyed by the mass of the subjects. If in a country there are found some persons who counterfeit coins or commit thefts, the fact is insufficient to justify the conclusion that there is no sovereign in that country.

British Parliament as example.

The example of British Parliament may be quoted to bring home the idea of sovereignty. In Great Britain supreme power is vested in the King, the House of Lords and the House of Commons and these three acting together constitute Parliament. There are no legal limits to its authority. In the picturesque language of a French author, it can do everything except make a man a woman or a woman a man. The King is known all over the realm and each of the Houses contains a specific number of members so that there is absolutely no doubt as to the composition of Parliament and hence of the British sovereign.

Criticism.

The theory of sovereignty as set out by Austin still continues to dominate men's minds but serious attacks have been made upon it of which some notice must be taken. Austin had laid emphasis on two points (1) that sovereign power is indivisible and (2) that it is unlimited. It is contended that the example of federal constitutions shows that it is possible to divide sovereignty and it is suggested that no State is sovereign in the sense that its powers are altogether unlimited. It is agreed that legally speaking it is absolute, i.e., it can make or unmake any law and that there is no power in

the territory capable of overriding its authority. But what is urged is that whatever the position from the point of view of law, in practice the sovereignty of the State is limited by external as well as internal checks.

External limitations.

Externally, it is limited by the desire for peace and the physical ability of the State to attack other States. International law also though it has no physical compulsion behind it exercises a moral restraint. The law may be defined as a body of rules determining the conduct of civilised States in their mutual dealings. A State which invades the territory of another State without provocation or without first trying to settle the dispute by peaceful means or which uses poison gas as a weapon of warfare is held guilty of a breach of international law.

Internal limitations.

Internally, the actions of the State are limited by the fear of public opinion and the possibility of rebellion. Theoretically, it might be possible for the British Parliament to enact that all blue-eyed children should be killed, but a Parliament that actually did so must be considered stark mad. This is, of course, an extreme case but circumstances can be easily imagined when either under the influence of religious fanaticism or material gain, a legislature might feel tempted to pass laws which later on it finds itself powerless to enforce. For the same reason, legislatures are usually unwilling to interfere with the people's morals or their long-standing customs. It has been pointed out how in spite of

his being an absolute monarch, Maharaja Ranjit Singh never issued a command which came in conflict with the immemorial usages of his subjects. In our own day, we have seen King Amanullah of Afghanistan lose his throne because of the devilish haste with which he introduced reforms.

Political sovereign.

Considerations such as these forced Prof. Dicey to observe that in every State there was not one sovereign but two, the legal sovereign and the political sovereign. What he meant was that though technically Parliament had the right of making laws, it kept the wishes of the electorate constantly in mind. Members of Parliament owed their position to the electors and they had to look to them for re-election. In this sense, the people were the real sovereign. "Behind the sovereign which the lawyer recognises," said Prof. Dicey, "there is another sovereign to whom the legal sovereign must bow." There is some truth in what Prof. Dicey says but his statement gives rise to another difficulty. The people will be the real sovereign if while recording their votes, they acted in accordance with their own judgment and not under someone else's influence. But is this so? The fact is that in every country there is a small set of persons who exercise enormous influence over the electors so that it is impossible to say whether the electors or they are the sovereign.

Sovereignty should go.

We have thus seen that the sovereignty of Parliament is in a great measure a matter of fact and not of law. Nor is it desirable

that it should. Once we recognise that the legislatures of various countries are sovereign, we give them a free hand in international affairs and in internal matters. What that amounts to we are already familiar with. It means in the international sphere an unending succession of wars. For being sovereign, they are under no obligation to obey the international law. It means, internally that every individual and every association is completely at their mercy. Yet there is no reason why this should be so. Why should the State enjoy the monopoly of power? In society there are a number of social groups of which the State is only one and power to be exercised properly must be shared by all. Some of these groups like the family, the Church, the occupational organisations have an ancestry older than that of the State and are as essential for human well-being as the State itself. We, therefore, conclude that there should be, on the one hand, a world organisation to which the States should be made subordinate and, on the other hand, a wide distribution of authority among the various groups to manage their own affairs. The State must part with power and cease to be sovereign.

Austin's definition of law.

Along with his definition of sovereignty, Austin defined law as a command of the sovereign. Now, there is no doubt that many of the laws which we obey are of this kind as, for instance, the law of income tax or the law imposing customs duties. But there are other laws which though made by the sovereign power cannot bear that description. A law which conferred the

right of vote on women, to take an example, can be hardly said to be a command unless the non-exercise of this right was made a punishable offence.

A better definition.

Then there is another difficulty. Among the laws which the courts apply, there are some which have never been enacted by the State legislature. In India many cases are decided in accordance with the Hindu or Mohammadan law though none of these has been passed by the Indian Legislature. The followers of Austin have tried to get over this difficulty by cleverly arguing that what the sovereign does not forbid, he commands. It is, however, a forced expression to say that one commands things to be done because one has the power (which one does not exercise) to forbid their being done. Before Lord William Bentinck abolished the practice of Sati, the custom was widely prevalent but to say that because the British Government had not stopped it, it had, therefore, commanded its performance will be simply ridiculous. The truth is that law is something wider than what Austin conceived it to be. Perhaps a good definition of it will be to define it as the body of principles recognised and enforced by the courts of justice.

Sources of law.

The main sources of law are legislation, custom, precedent, religion and professional opinion.

(1) Legislation is the most important source of law as now-a-days most of the law is made in this way. It is the business of the legislature to declare or enunciate

principles for the use and direction of the courts and it does so by passing Acts on innumerable subjects.

(2) The earliest kind of law was customary law. The primitive people were the slaves of custom and had very little initiative. These customs or usages arose out of such needs as the security of person and property and similar motives of general utility. One of the customary laws still in force in India is the law of pre-emption which prescribes that if a person wants to sell his house, his immediate neighbour has a prior right to its purchase. This was the custom among the Muslims when they came to India and has since been adopted by certain parts of the land.

(3) Precedent is the example to be followed in later cases. When a judgment has been pronounced by a court after full consideration, the presumption is that its decision is correct and a fit one to be applied to all similar cases in future.

(4) Law may be derived from religion as is the case with the Hindu law. A good deal of it is based on Dharm-shastras such as the Manu-smṛiti which lay down rules of law, religion and morality. To this day, a Hindu is governed in matters of inheritance, marriage and adoption by this law.

(5) Professional opinion is the approval or recognition of a principle by eminent legal writers. The ground for treating professional opinion as a source of law is a reasonable confidence in the skill and knowledge of the experts.

Customs.

Morals—customs—laws—this has been the chain of

social evolution. From the earliest 'times, man has drawn a distinction between right and wrong. Moral ideas when they are translated into practice by the community get the form of customs. Thus the custom of ancestor-worship is founded upon a feeling of reverence and dutifulness towards the forefathers. What the habits are to an individual, customs are to an early society. All the members tend to perform certain acts or ceremonies in exactly the same fashion. A good illustration of the formation of such habitual courses of action is the way in which a path is made across a plot of grass. One man crosses the plot in the direction which is suggested either by the purpose he has in view or by mere accident. If others follow in the same track, which they are likely to do, a path is formed.

Distinction between morality and custom

Though many of the customs have some underlying moral principle it is easy to cite examples where this is not so. The custom of dowry among the Hindus at once occurs to the mind. Moreover, custom can never cover the whole field of morality. The moral commandment requires that I love my neighbours as myself, an extraordinarily difficult thing to do in most cases, whereas all that custom enjoins is that I put in my appearance at his house on Holi for five minutes. The fact is that while morals deal with one's inner thoughts and feelings, custom is only concerned with external behaviour.

Nature of law.

Law like custom is a rule of conduct but while the

latter is established by usage and derives its force from public opinion, the former is based on physical coercion and relies on the State for its enforcement. Very often it is the prevailing customs which are given the stamp of laws and this is done to make them definite and to place them on a surer footing. But there is a danger involved in the process. The first defect of a legal system is its rigidity. Howsoever skilfully legal rules may be framed, so infinitely various are the affairs of men that it is impossible to lay down general rules which will be true and just in every case. Another defect of the law is its conservatism or failure to conform itself to those changes in circumstances and in men's view of truth and justice, which are inevitably brought about by the passage of time. Law has been known to lag behind public opinion and public opinion behind the truth. "The opinion of Parliament," it has been wittily said, "is the opinion of yesterday, the opinion of judges of the day before yesterday." The old criminal law of England which allowed hanging for such minor offences as sheep stealing or pick-pocketing continued to disfigure the statute-book until the beginning of the nineteenth century, even though there had grown up a volume of popular feeling against it.

Law and social reform.

Though law has a habit of falling behind the times, it may be effectively used on special occasions for speeding up the pace of social reforms. This was done in 1829 when the Government of India abolished Sati by declaring it a criminal offence. Some years ago, the Sarda Act was passed with the same intention but as

the Government was half-hearted and the social conscience not fully alive to the evils of child-marriage, it has remained a dead letter. The problem of drink is another region where it seems justifiable to use the heavy hand of the law. It may mean interfering with individual liberty but since its application will result in an increase in the country's industrial efficiency and the prosperity of the working classes, no reasonable objection can be taken. On the whole, however, it seems desirable that action should be postponed until sufficient proof is forthcoming, firstly, that legislation is required to meet a serious practical evil and, secondly, that it has been asked for by a section, important in influence or numbers of the community itself.

Law and liberty.

Many of us are apt to consider law as a great nuisance, specially when it is set in motion against us. It then forces us to do things which we find disagreeable and we come out with a loud complaint that law is a negation of liberty. Law does impose on us a great restraint and it is quite likely that if it were absent, some of us would be helping ourselves to all the good things of life. It is equally certain that in acting in this fashion, we would be obeying the impulses of our lower nature. For there is a voice within us howsoever feeble which tells us that there are others whose interests are to be consulted and that it is not altogether fair to be always thinking a great deal of ourselves and of others too little. It is the business of the law to give concrete expression to this feeling. What it does is to sustain the system of rights and duties in society and

to make the principle of live and let live actually operative. It does not restrain, but preserves and enlarges freedom. It is something more than the police. Its ultimate object is nothing less than the highest well-being of society. If this is the purpose of law, it is a help rather than a hindrance in the task of self-realization. Instead of rousing our resentment, it should call forth our eager submission.

‘Lawless law’.

Society, however, is imperfectly organised and it happens that some of the laws to which obedience is exacted are not imbued with any moral principle but are mere embodiments of the arbitrary and selfish will of those who have made their way to power. The expressive phrase of ‘lawless law’ has been coined to cover such cases. In such a situation the duty of the citizen is plain. He should refuse to follow such a law and cheerfully abide by the legal consequences of his disobedience. A law merely because it happens to be a command of the sovereign carries no sanctity behind it, for as Lord Acton said in words of imperishable beauty: “The great question is to discover not what Governments prescribe but what they ought to prescribe, for no prescription is valid against the conscience of mankind.”

Exercise

1. State as clearly as you can Austin's conception of sovereignty. What are the grounds on which it is criticised today?
2. Austin defined law as a command of the sovereign. What do you think is the real nature of law? Mention its sources.

3. Point out the internal and external checks to which sovereignty is subject. Give illustrations.

4. How are custom, law and morality related? What is the force behind each of these?

5. Do you favour social reform by legislation or will you leave it to society?

6. 'Law is the condition of liberty'. Comment.

THE STRUCTURE OF GOVERNMENT

What Government means.

Government is the machinery through which the State acts. It is what the arm is to an individual. The will of the State is known and carried out through government. Whatever be the functions which the State performs, government is the sole means for their performance. Without government which is the most effective unifying force in society, the people will be an unorganised mass, incapable of systematic and sustained action. The ordinary man is only dimly aware of the existence of the State but he cannot possibly be left in doubt that there is such a thing as government because of the daily demands which it makes upon him. The State is of course an artificial person but that it might play a part in real life, it has been given real human beings as its agents. These men constitute the government. This is what is meant by saying that while the State is abstract, government is concrete.

Three organs of Government.

There are three main organs of Government (1) the legislature (2) the executive and (3) the judiciary. The legislature lays down the law, the executive applies it and the duty of the judiciary is to see that it is rightly applied. In olden times the three functions were not separated but were combined in the hands of a single person, the monarch, who was himself the law-maker, the chief executive and the fountain of justice. Such

a concentration of power inevitably led to despotism and were not custom such a mighty force to which even the king had to submit, the lot of the people would have been even more miserable than what it was.

Separation of powers.

In Europe until the eighteenth century, though separate bodies had been formed to discharge each of the three functions, all authority was supposed to flow from the king's person and it was not rare when he interfered with them. It was to stop this evil that Montesquieu raised his powerful voice in support of the theory of separation of powers. His main argument was that individual liberty cannot be safe if the same person or body of persons is free to exercise the powers of more than one department. That Montesquieu was surely right can be shown by taking several examples. Supposing that the same person is both legislator and executive and supposing that he needed money for his own purposes, then nothing could be easier for him than to make a law taxing the people and proceeding forthwith to collect the tax. Or supposing that he is both the law-maker as well as the judge and a case comes up before him in which he himself figures as the law-breaker, then there is nothing to prevent him from holding that the law does not apply to him at all or that no breach of the law has been committed. How a combination of executive and judicial functions works out in practice need not be told to any Indian who knows how hundreds of Congressmen have been sent

Other arguments.

Apart from this overwhelming argument in favour of separation of functions, there are others of substantial value. The principle of the division of labour is as much applicable to government as in any other sphere of life. Different qualities are demanded from different types of officials and it is quite conceivable that a very efficient executive officer might prove to be a thoroughly bad judge. In the second place, if there is no proper distribution of work between the several branches of government, there will be loss of efficiency, delay and confusion.

Complete separation impossible.

It must not be supposed, however, that it is possible to effect a complete separation. Government has a basic unity which defies all attempts to divide it into water-tight compartments. It may be that it is the special privilege of the legislature to make the law but since the responsibility of putting it into force rests with the executive, who may feel, for instance how very difficult a particular law is from the point of view of its application, it is desirable that it should be invested with the power of saying 'No'. The appointment of judges has always been a thorny problem. In many countries, they are appointed by the executive, a practice not strictly in conformity with the theory of the separation of powers. The only alternative is to have them elected by the legislature or the people. This will be worse, for the judges so appointed will lack the qualities of impartiality and independence. It may be added that even in the United States of America

where the separation of functions has been carried out to the farthest extent, there is some intermingling of functions.

Functions of legislature.

Of the three organs of government, the legislature is the most important. Its business is to prescribe those general rules which regulate everybody's conduct. Upon the nature of its work depends the welfare of the whole community. If the laws which it frames are in the general interest, society benefits; if their object is to secure the gains of a particular class, inequality is the outcome. The general functions of the legislature may be described as follows:—

(1) to make new laws and to repeal and amend the old ones in order that the law might be kept in harmony with the changing social needs.

(2) to control the finances of the State by determining the sources of revenue and the mode of its expenditure.

(3) to have due control on the executive by means of criticism of its policy and measures and by its refusal to grant supplies.

Unicameral and bi-cameral legislature.

There are two ways in which the legislature is organised in all democratic countries. It either consists of a single house or chamber or of two houses—the first is known as unicameral the second bi-cameral legislature. Of the two systems it is difficult to say which one is better. Where there are two houses, their composition, powers and political status are usually different.

This is because they are formed to fulfil different purposes. One of the two houses, called the lower house, is elected on a pretty wide franchise and is supposed to represent the common people. The other or the upper house is designed mainly to represent the vested interests. It consists of members of the nobility, big landowners and rich merchants. Where the two houses so essentially different in their outlook are placed side by side to work together, friction might well be the result. Experience has shown that the upper house has a habit of opposing all radical measures sent up by the lower house. Even where it has been powerless to kill such a measure, its obstruction has considerably delayed it.

Advantages of second chambers.

But there are certain arguments which are advanced on behalf of the bi-cameral form. It is claimed that the second chamber is necessary as a safeguard against hasty, ill-considered and rash legislation. The immensely important work of legislation should not be left to a single house whose judgment is final. There should be the possibility of revision and improvement. In the second place, it is suggested that a check is needed to the revolutionary ardour of the lower house. The representatives of the people in their impatience might throw all caution to the winds and attempt violent changes. Of the two arguments, only the first seems to have some validity. The fears underlying the second have no real justification and it may be urged that even if the lower house attempted some brave measures, they are to be welcomed rather than

deplored, for the existing social evils are so great that no small adjustments will avail.

Executive.

The executive is another branch of Government whose duty is to execute the law when it has received the sanction of the legislature. In its broadest sense, it includes the whole body of public servants, civil and military, i.e., all those who are not members of the legislature or the judiciary. Such a class is bound to exist in any State, but particularly in the modern State, which corresponds to a large national community. This explains why its number is so large and its powers so wide. Not only is it responsible for the preservation of law and order but its duties include the active promotion of all schemes of human welfare. A good deal of the success of Government depends on the quality of its executive officials—their efficiency, zeal, integrity, devotion to work, and what is not the least important their tact and resourcefulness. The citizen in his day-to-day life comes in contact mainly with the executive and he judges the character of his State by that standard. The executive work is divided into several compartments. Immediately below the head of the State, there are the chiefs of various departments with their separate staffs. Internal politics, finance, education, industries, transport, foreign affairs, defence, etc., are the subjects with which the executive has to deal.

Ministers and Permanent Officials.

In democratic states, there are usually two types of executive officials (1) political and (2) permanent.

The political officials or ministers are the departmental heads whose privilege it is to lay down policies and decide higher questions of principle. They occupy their lofty station not by virtue of the fact that they have any technical knowledge of their departments but because they are men of outstanding ability and enjoy the confidence of the public. Subordinate to them are the permanent officials who possess an inside knowledge of the working of their departments, are free from party bias and enjoy a life-long tenure. They are usually recruited on the basis of competitive examinations, rise by gradual promotion and retire on pensions. The brunt of administration falls upon the shoulders of these officers whose responsibility is very great indeed. If they are slack, corrupt or tyrannical, the public has a miserable time.

Functions of the Executive.

The main functions of the executive may be classified as under:—

(1) Administrative, which means the appointment and dismissal of officers and the general conduct of affairs.

(2) Military, i.e., the appointment of the commander-in-chief and the maintenance of the army, the navy and the air force.

(3) Diplomatic, which means the making of war or peace, the negotiation of treaties, and the interchange of ambassadors.

(4) Legislative. There are certain powers which the head of the government enjoys in relation to legislation. He summons, prorogues and dissolves the

legislature, gives his assent to laws or withholds it, and in moments of emergency himself makes the laws which have a temporary duration.

(5) Judicial, which includes the power to appoint the judges but not to control their actions and the power to grant pardon to criminals.

(6) The bestowal of honours and rewards on those who have rendered meritorious services to the State.

Judiciary.

The last important organ of Government which remains to consider is the judiciary. There is no better test of the excellence of a government than the worth of its judicial system. On nothing does the mental peace of the average citizen depend so much as on his sense that whenever the necessity arises, the law is there to help him. But in order that the fullest benefits of justice may be available to all, two conditions are essential. First, justice must be even-handed and, second, it should be prompt and certain. The first does not need any words of explanation, for if justice is not impartial it is not justice at all. But the second is not less important. If law is only weakly or fitfully administered then social security is undermined, for it is more by the certainty than by the severity of punishment that offences are prevented.

Qualities, a judge should have.

Legal learning, capacity, honesty and independence are the prime qualities of a judge. A judge must be scrupulously honest. The temptations which lie in his way are great. The decision of such momen-

tous questions as whether a man should live or die and whether property valued sometimes at fabulous sums should belong to one person or another rests in his hands. Men are willing to offer him large bribes if only he would twist the law a little and give his judgment in their favour. But it is not only the offer of a handsome bribe which may induce a judge to give a wrong judgment. Family considerations, feelings of personal friendship and communal-mindedness are the other snares. It is clear, however, that a judge who is won over in this way is unfaithful to his charge and guilty of a gross dereliction of duty.

But a judge has not merely to decide cases involving individuals. Often the State itself is a party. This is invariably so in criminal cases. If a person commits a theft or a murder, proceedings are started against him in the King's name as he is deemed to have violated the peace of the country for which the King is responsible. It is difficult for the judge to preserve his independence over such cases when, as often happens in India, the district officer or the superintendent of police is unduly keen to secure conviction. This is decidedly so in political cases where the government is naturally anxious to see the offenders punished. A judge must, however, refuse to be influenced even by the government itself.

It is thus plain that the qualities demanded of judges are of a high order. In order that they may be forthcoming, it is necessary to ensure them decent salary, permanence in office and good social status. Good pay is essential to make them free from the vice of corruption, permanent tenure is required to make them independent of the influence of the executive, and a high

social status is needed to prevent their being over-awed by the rich.

Mode of appointment.

There are three modes of appointment of judges (1) popular election as in some of the States of U.S.A. (2) election by the legislature as in Switzerland and (3) appointment by the executive as in England and India. The first is open to two serious objections. The people cannot be suitable judges of the technical ability which a judge should possess and an elected judge will be the slave of the people by whose vote he was elected. Election by the legislature will mean that the judges are party-men and cannot be depended upon for their impartiality. The third system though hardly the ideal seems to be the best of the lot. If the judges once they are appointed by the executive are made practically irremovable and regular promotion is guaranteed to them and further if any attempt on the part of the executive to interfere with them is instantly condemned by public opinion, they may be expected not to lose their independence.

Functions of the judiciary.

The functions of the judiciary may be summarised as follows:—

(1) to interpret the law and to apply it to specific cases.

(2) to administer civil justice between the individuals and between the citizens and the State.

(3) to administer criminal justice between the citizens and the State.

Exercise

1. Mention the main organs of Government and state their functions.
2. Discuss the reasons for the separation of powers.
3. Which of the two do you consider preferable, the unicameral system of legislature or the bicameral?
4. Explain the functions of the judiciary. What are the conditions which must be fulfilled before the judges can perform their duties properly?
5. Give a brief account of the executive officials and their work.

CHAPTER XII

CONSTITUTIONS

Definition.

By constitution is meant the body of rules, written or unwritten,, which regulate the organisation and powers of the government, the inter-relationship of its various parts and the relationship between the government and the citizens. It is not necessary that all these rules should be embodied in a definite document; the mere fact that they are well-known and observed in actual practice is enough to entitle the government of the country, where they exist, to be called constitutional government. It is possible to classify the States or governments on the basis of their constitution into several types.

Written and unwritten constitutions.

(1) Written and unwritten constitutions.—A written constitution is one which is contained in one or more documents, an unwritten constitution one that has not been reduced to that form but consists of certain usages and conventions observed in practice. India has a written constitution because the system of government has been laid down in considerable detail in an Act passed by the British Parliament in 1935. Great Britain itself, however, has an unwritten constitution because many of the important principles on which the government of the country is conducted, though scrupulously obeyed, find no mention in State

documents. In point of fact, no country has a wholly written or unwritten constitution but a mixture of the two.

Rigid and flexible constitutions.

(2) Rigid and flexible constitutions.—Laws may be divided into the laws of the constitution and ordinary laws. Of the two, the first are necessarily the more important since they lie at the root of the government itself. For this reason, a special and difficult procedure is laid down in certain countries for their amendment so that the constitution might not be liable to frequent alteration. Such countries are said to possess a rigid constitution. Where no distinction is made between the two kinds of laws and both can be amended in the same way, the constitution is said to be flexible. The advantage of such a constitution is that in comparison with the other it can be easily changed to suit altered circumstances. Thus each has a merit which it is impossible to combine. But the truth is that the determining factor is not the form of the constitution but the temperament of the people. If they are fond of change, they can brush aside whatever impediments are in the way, while if they are conservative, they will not care to touch the constitution, howsoever easy it might be for them to do so.

Aristotle's classification.

(3) Monarchy, aristocracy and democracy.—States can be divided on the basis of the number of persons who share the sovereign power. If all power belongs

to a single individual, it is monarchy; if to some, it is aristocracy; if to the many, it is democracy.

Monarchy.

Monarchy is that system of government in which the personal will of a single person is effective. The King cannot of course carry on the administration single-handed but what is meant is that he can appoint and dismiss his officials at will and is not responsible to anybody for his actions. True monarchy is not found to exist anywhere now and where the head of a government is still called king, it is because his forefathers were kings. Certain merits are claimed for this form of government. It is said that because the king has a free hand in the selection of officers and the officers of all the services owe their appointment to him, there is efficiency and harmony in the administration. It is also contended that because the monarch is a hereditary ruler raised far above his subjects, he can hold the scales even between the classes and promote the general interest. Of these arguments, the first alone has some substance. The second is not borne out by the facts of history—kings having almost invariably relied for their support on the nobles whom they openly favoured. But the most conclusive argument against this system is that it leaves everything to chance. If the monarch is able, hard-working and well-intentioned, the people prosper but then if he is succeeded by some one who is mentally deficient or morally vicious, power slips into the hands of a clique which sets up a rule of oppression.

Aristocracy.

Etymologically, aristocracy means the rule of the best. If such a government were possible, nothing could be better than that. The art of government is a difficult art worthy of being handled only by the best. But two important questions arise. In the first place, how are the best to be discovered. Presumably, those who possess the highest mental and moral virtues are the best but we have no instruments with which to measure these qualities accurately. In the second place, even if such a test were possible, what guarantee is there that the persons selected will be willing to bear the burden of responsibility. Thirdly, the fact that they are the best implies that they are far removed from the common run and hence hardly in a position to understand the needs of those they are called upon to govern. The truth is that the aristocratic system of government though very attractive is not practicable at all and whenever the word is used in connection with an actual government, it does not mean government by the best in the sense of the wisest and the most capable but government by a handful of nobles or rich men. The proper word for such kinds of government, however, is oligarchy.

Oligarchy.

Oligarchical rule had its utility when the majority of the people were ignorant and had no civic consciousness. A small number of families then combined and because of the prestige which noble birth and wealth have always commanded succeeded in maintaining internal order and earning foreign glory. The historical

significance of oligarchy is also considerable. It marks the half-way house between the autocracy of the monarchs and the modern democracy. Nobles wrested authority from the hands of the kings which has now passed on into the hands of the people. In certain countries, oligarchy still continues and presents a number of ugly features. (1) Class rule is essentially selfish and arrogant, caring little for the people as a whole, (2) Government is divided into factions because of the rivalries and jealousies of the leading families, (3) Everything is done in secret with the result that corruption is rampant.

Democracy.

There is no doubt that democracy is better than monarchy or oligarchy and more practical than aristocracy. It may be defined, in the words of Lord Bryce, "as that form of government in which the ruling power of the State is vested not in any particular class or classes but in the members of the community as a whole." As the subject of democracy is of extraordinary importance, it needs a chapter to itself but here we may glance at the two familiar varieties of democratic government.

Parliamentary and Presidential Governments.

(4) Parliamentary and Presidential Governments. In the parliamentary or cabinet form, the chief of the State who may either be a hereditary king or a person elected for a limited term has nominal powers only. Real powers are exercised by the ministers who constitute the cabinet. They are members of the legislature

and owe their position to the fact that the political party to which they belong is in the majority there. The ministers are responsible to the legislature which means that as soon as it shows disapproval of their policy which it might do by a vote of no-confidence, they have to resign. The way in which the cabinet is appointed is as follows. The head of the State sends for the leader of the majority party inside the legislature and appoints him as the prime minister. The rest of the ministers are appointed by the prime minister from amongst the members of his own party. The cabinet works on the principle of joint responsibility: if one minister is forced to resign, all the others must resign with him. As the cabinet is answerable for its acts to the legislature, which is a body of persons elected by the people, this system of government is essentially democratic.

In the presidential system, the executive is not responsible to the legislature. Both derive their authority directly from the people and occupy a co-ordinate position. The head of the State, called president in U.S.A., is no mere figurehead but the real executive who is elected by the people for a short term of years and invested with very large powers. He appoints his own ministers who are accountable to him alone and neither he nor they are members of the legislature or removable by it. The legislature is an elected one as in parliamentary countries. America has accepted the theory of the separation of functions and it is felt that both the executive and the legislature should be independent of each other.

Merits and demerits of Parliamentary type.

Each system has its merits and demerits. The strongest point in favour of the cabinet system is the harmonious co-operation between the executive and the legislature. As we have seen, the ministers in this form of administration are not merely executive heads but men belonging to the dominant group inside the legislature. They are themselves members, fully entitled to take part in the discussions and voting and in fact many of the most important bills originate from them. But this combination of two vital functions has its evil side. The influence which the cabinet exercises by virtue of its double position is so overwhelming that the legislature practically ceases to have a separate existence and becomes its tool.

Merits and demerits of the Presidential type.

In the presidential system, both the president and the legislature are separately elected and the former does not rely for his continuance in office upon the latter. Both have clear-cut powers which none is free to encroach upon. The responsibility for executive action rests upon the president and that for law-making upon the legislature. Liberty is safe because by keeping separate these centres of power despotism is avoided. But the drawback of the system is that there is no connecting link between the executive and the legislature which often work at cross purposes.

Unitary and Federal constitutions.

(5) Unitary and federal constitutions. The preceding classification was based on the relation between the

executive and the legislature. It is possible to attempt yet another classification based on the distribution of powers between the central and provincial authorities. In the unitary constitution, all power is concentrated in the hands of a single body of persons. Thus in Great Britain the sole political authority is Parliament which functions in London. This does not mean, of course, that Parliament looks after every little affair of the realm. Such a task would be impossible. Indeed, we know that for administrative convenience the country has been split up into a number of local sub-divisions, each enjoying a degree of self-government. But the fact remains that all such powers are the gift of Parliament which can modify them in any way it likes.

Very different is the position in federal countries. There the powers are allotted by the constitution itself between the central and provincial governments, and it is impossible for either to touch the sphere of the other. If there is left any ambiguity or if one of the governments feels that the other by its action has invaded its rights, the matter is decided by the courts whose decision is final. The subjects which are included in the central list are those of common interest such as defence, foreign relations, customs, coinage and currency, railways, posts and telegraphs, etc., while those in which individual initiative is desirable such as education, industries, agriculture, public health, etc., make their appearance in the provincial list. In short there is double government and double allegiance. The salient features of a federal constitution are three:—

Salient features of a federation.

(1) A written constitution which cannot be amended by the independent action of either the central or provincial governments.

(2) A clear division of powers between the centre and the provinces.

(3) An independent judiciary whose duty is to uphold and interpret the constitution and to decide disputes between the central and provincial governments.

Merits of unitary constitution.

Each of the two constitutions has its distinctive merits. Simplicity is the keynote of the first. There is a single government in the land without any rivals and hence no doubts about the limits of its competence. Secondly, unitary constitutions are economical in time as well as money. Supposing a particular measure is considered suitable for the whole country, it has only to be passed by a single legislature and as soon as this has been done, the entire country gets the benefit of it. In the federal system, it is necessary for the same measure to be enacted by each provincial legislature and this takes time. Then again, federalism means duplication of governmental machinery. Instead of one set of officials, it demands several, since each province has its own legislature, executive and judiciary and is thus expensive.

Demerits.

But these advantages are offset by certain defects. The provinces do not have as much freedom as falls to their share in a federation. They are regarded merely

as administrative units and not as self-conscious entities with a separate individuality. They, therefore, lack full opportunities for self-expression. Secondly, the concentration of power at the centre means excess of work and imperfect appreciation of local conditions.

Merits of federal constitution.

The real fact is that the two systems are suited to different countries. The unitary constitution works well in a small country which has a homogeneous population and where the habits and capacity for self-rule are not highly developed. Federation is suitable for large countries where there exist great diversities of race, language, religion and local feeling. It is where the inhabitants are anxious to preserve the independence of their own provinces while desiring to unite for certain limited purposes, that federation offers the best solution.

No ideal constitution.

Now that we have discussed the various constitutions, one may feel tempted to ask, which constitution is the best? The question is similar to the one, which book is the best? There is no best book. A reader may regard a particular book as the best but that is a matter of individual taste. And it is quite probable that the same reader may have a fancy for different books during the various stages of his growth. The same thing is true of forms of government. There is no ideal government suited to all times and to all conditions of men. Were it so, humanity would have discovered it long ago and achieved its happiness. For whatever

else might be doubted, it is beyond dispute that the happiness of a people is considerably affected by the nature of the constitution under which they live. A poet has written :

“How small of all that human hearts endure,
That part which laws or kings can cause or cure.”

But this is a mistaken view. Material well-being definitely depends upon the disposition of political power. Nor is spiritual advancement possible under a tyrannical or corrupt government. To place all the forms of government on an equal footing is to ignore the lessons of history. History shows that personal despotic rule is a curse and that oligarchies have always been extremely selfish and cruel. Though democracy has done little positively to increase the amount of happiness, its contribution on the negative side has not been negligible. The establishment of popular freedom has removed or at any rate diminished sources of fear and suffering which existed under more arbitrary forms of government. But democracy could not have functioned in primitive times when firm rule was needed.

Unitary and federal constitutions are, as has been urged, suitable under different circumstances. In India it was all to the good that the unitary constitution continued to operate until 1935. At the time of the British conquest, the country was hopelessly divided both politically and economically. The British by giving it a unitary government brought about uniformity in law and administration and thus welded it into a nation. Now, however, when the necessary element of unity has been forged, it appears desirable that in view of the vastness of its size and the diversity of its

life, India's new constitution should be modelled on federal lines.

As for the parliamentary and presidential forms of government, the English are as proud of the one as the Americans are of the other. The English claim that their system makes for efficiency and that is the test of government; the Americans, that it is the popular liberties which matter and that they are better safeguarded under their own scheme. The parliamentary system has been on trial in India for some time and has worked well on the whole but there is a talk now of a new form of government, the Swiss, as being more appropriate to its peculiar conditions. There is no finality in human affairs and no perfect form of government. All that mankind can do is to go on experimenting.

Exercise

1. What is meant by a constitution? Explain the difference between a written and an unwritten constitution.
2. How will you distinguish between monarchy, aristocracy and democracy? Briefly describe the merits and demerits of each.
3. Describe the main differences between the parliamentary and presidential forms of government. Which of the two do you consider better and why?
4. Bring out the essential differences between a unitary and federal constitution. For what type of countries is the latter specially suited?
5. Mention the characteristics of a federal polity.
6. Do you consider the form of government important? Has it any special bearing on the happiness of the people?
7. Discuss some of the principles on which a classification of States can be attempted. Give illustrations.

DEMOCRACY

Definition.

There are innumerable definitions of democracy, one of the most famous being that by Abraham Lincoln who defined it as a 'government of the people, by the people, for the people.' Some understand by democracy not so much a particular form of government as a way of life. But this can hardly serve the purpose of a definition. Its value lies in its emphasis on the moral qualities which democracy demands but its weakness is that it is not sufficiently concrete. Perhaps a good definition of modern democracy would be to define it as 'that system of government in which the majority participate through a method of representation which secures that the government is ultimately responsible for its actions to that majority.'

Main arguments for democracy.

The main arguments in favour of democracy may be put in the form of two simple propositions: (1) that which concerns all should be the business of all and (2) only the wearer knows where the shoe pinches. Every law which the government passes is bound to affect one class of persons or another and all the laws taken together affect the whole body of citizens. The people thus have a very living interest in the government and having that interest it is clear that they should participate in it. All talk about the government being an

art and manageable only by the experts is at bottom the cry for class domination. The hollowness of this argument has never been more mercilessly exposed than in the memorable words of a Roman philosopher who wrote 2,000 years ago: "Some have said that it is not the business of private men to meddle with government—a bold and dishonest saying, which is fit to come from no mouth but of a tyrant or a slave. To say that private men have nothing to do with government is to say that private men have nothing to do with their own happiness or misery; that people ought not to concern themselves whether they be naked or clothed, fed or starved, deceived or instructed, protected or destroyed." Even if it is supposed that government can be conducted more efficiently than if common people are put in charge of it, it may be suggested that it is better that imperfect men live under imperfect laws which reflect their desires and are suited to their needs, than they should be compelled to live under perfect laws.

The second argument is equally weighty. Nobody but the people themselves can be the judges of what they want and what they need. A monarch or a nobleman, howsoever anxious he might be to do good to the people, cannot succeed in his endeavour for the simple reason that he does not share their experience; has no knowledge of their difficulties, their ambitions, their hopes and fears.

There is a further advantage which democracy enjoys over its rivals. In the monarchical and oligarchic systems, the average person takes things for granted and does not exert himself to the utmost. He feels he

has no say in government. The democratic form of government does away with this passivity of spirit. Every individual knows that he counts for something and is eager to put forward his own plan of social and economic reform.

Defects of democracy.

Great as are the virtues of democracy, its defects are equally obvious. It rests on a number of assumptions which are open to challenge. The greatest of them is the belief in human equality. Every individual is given one vote, neither more nor less. This would be right if all men were equally competent and equally zealous to take part in government. Clearly, this is not so. People differ in their intellectual capacity and in their eagerness to serve the public cause. Some are wise, some foolish, some public-minded, others shamelessly selfish. Another assumption is that given the chance the voters will choose the best representatives. Experience, however, shows that those who are elected are not the fittest but who excel in the art of pleasing. Thirdly, democracy means the rule of the majority and majorities have sometimes proved as tyrannical in their treatment of minorities as the old-time despots. Fourthly, democracy produces uniformity and monotony. The passion for equality reduces everything to the same dead level—there is popularisation in art, literature, science and even in morals. Fifthly, before action is taken it has to be debated in the legislature and the precious time thus lost tells upon the efficiency of government. This aspect of democracy is clearly seen in moments of some national crisis

as when there is a war. Sixthly, many citizens consider frequent elections as a great nuisance and abstain from voting. The consequence is that clever and bustling politicians are put in office while good and honest fellows are defeated.

Suitable conditions.

That democracy has failed to realise all the hopes of its supporters need not be a disheartening fact. After all, it is only a recent invention which has not yet received a fair deal. Like all good things, democracy requires a heavy price. Certain conditions must be fulfilled before it can be successfully worked.

Equality.

(1) Every citizen must be regarded as equal, not of course in the mathematical sense which is absurd, but in the sense that each is an integral part of the whole. For although it is true that the contribution which each citizen makes to society is not equal in value, each one who contributes is equally a source from which the common life is drawn.

Liberty.

(2) There must be a real love of liberty, liberty not only for our own selves individually but for all, allowing everybody to think and speak and act as he likes so long as he does not invade the similar liberty of others. There must be a general spirit of toleration for opinions differing from our own, a readiness to discuss all questions calmly and dispassionately, and if we do not agree, a willingness at least to differ amicably without charging our opponents with bad motives.

Education.

(3) Democracy assumes that all men will take a share in government, but in order that they might do so intelligently, it is necessary to educate them. By education is not meant high academic degrees, but the ability to read and write and to think coherently.

Economic Minimum.

(4) Just as a minimum education is essential, so is a minimum amount of necessities and comforts for every one. Even if equality of incomes remains an impracticable ideal, it should be possible to eliminate grovelling poverty from our midst. How can an individual take any interest in public affairs when his most pressing wants are left unsatisfied? And how far can he use his vote independently?

Public Spirit.

(5) Democracy requires a high degree of public spirit. There must be a fairly large number of men who are prepared to do public work at some sacrifice even though such work does not always lead to the limelight of publicity.

Uprightness.

(6) Personal rectitude is likewise necessary. Public officials should be above corruption and free from communal or caste bias.

Co-operation.

(7) Co-operation is of the very essence of democracy. There should be among the people an active desire to understand the point of view of their oppo-

nents and to come to terms with them. None should be afraid of sinking their differences and making compromises if this would lead to greater unanimity. The majority should not ride roughshod over the feelings of the minority but should go as far as it can to accept its just demands.

Active Interest.

(8) The citizens must take an active and continuous interest in politics. One of the serious defects of modern democracies has been the apathy of the people. They take little interest in current affairs with the result that power passes into the hands of the 'professional politician,' who is obviously not an altogether disinterested person. "A truly democratic policy," Cole observes, "should be one in which, if not the whole, at any rate, the majority of the citizens play an active as well as a passive part in society, not merely paying their taxes, and obeying the law, voting at intervals and grumbling at the government between elections, but actively co-operating in society's business."

Training.

(9) Finally, democracy requires a certain amount of practical training. Men can only learn to govern by governing, and the best hope for democracy lies in diffusing responsibility among a vast number of self-governing institutions, like the towns and industries, schools and colleges, and many others which one might name. In this respect, democracy, as it has been hitherto understood in the West, has some practical lessons to learn from Russian communism. No one who has been

to Russia can fail to be impressed by the way in which young persons, including children, have been given responsible parts to play in the building of society. Something on similar lines should be attempted in India so that when the boys and girls grow up they might have the necessary equipment for the performance of the duties of citizenship.

Elections.

Let us cast a glance at the way in which representative democracy is organised. The country is divided into a number of electoral districts called constituencies which are of approximately the same size and from each of them one person is elected. Voting is by ballot, i.e., each voter puts an X against the name of the candidate he wishes to be elected and puts the paper into a closed box which can be opened only by those duly authorised to count the votes. This system ensures secrecy. Those men who receive the highest number of votes in their constituencies are declared to be elected and they form the legislature of the country.

Voting rights.

What about the qualifications of voters? The general theory is that all the male and female citizens provided they are adults should possess the right. Minors are excluded for they are incapable of independent judgment. It will be ridiculous to bring in a child of five and record his vote; he is suer to vote as his mother wants him to unless he has been won over by a neighbour in which case there is bound to follow a disagreeable quarrel between the two damsels. On the

same principle, lunatics too are ruled out. The vote is also withheld from criminals who by their anti-social conduct are deemed to have forfeited it. In the old days, voting was confined to men for politics was regarded as their special domain. Home was supposed to be the proper place for women. This is no longer true. In the West and even in India in an increasing measure, women have come forward to earn their living and have shown equal readiness with men to shoulder public burdens. Their participation has not been restricted merely to civic life but has included the performance of military duty. Obviously we have moved far away from the days when it is said that "the assembled bishops debated with much earnestness whether women were human beings, and finally concluded that they were."

But there are some who are opposed to universal franchise and recommend educational and property qualifications. It is easy to see that the right use of vote demands a certain amount of responsibility and it is contended that if a person is ignorant or has no personal property, he should be debarred from voting. Nobody would deny that only educated men can make good citizens and this is indeed an argument for free, compulsory and universal education. But the bare literacy test must suffice. To insist on any higher standard will be to raise the difficult question of determining where the line should be drawn. Besides, a highly educated person is not necessarily a better voter. Men with low education sometimes prove to be quite well-informed about public affairs and to be shrewd judges of character and policy. The demand for a property

qualification issues from a desire to keep the present structure of society intact. It is said that if the vote is extended to classes who have no stake in the country, violent social changes must be the inevitable consequence. In the first place, as we have seen, society does stand in need of radical changes which ought to be welcomed rather than repelled. In the second place, it is an error to suppose that if power goes into the hands of the common people, anarchy is bound to ensue.

Communal Representation.

A special problem which confronts India is the due representation of religious minorities in the legislature. The problem is particularly difficult because of the position of the Muslims who constitute a large section of the total population and who are spread throughout India. The system of general electorates which exists in great Britain and other democratic countries is, it is felt, not suitable to India. A general electorate is one in which no account is taken of the race or community either of the candidate or the voter. Anybody may seek election and all those who reside within the limits of the constituency are entitled to vote for him. As the Hindus are in the majority in India, the fear of the Muslims is that the Hindu voters will vote only for the Hindu candidates with the result that the Muslim candidates will fail to get elected. There is some truth behind this feeling for the influence of religion is particularly strong in this country. To satisfy the Muslims, separate electorates were created in 1909 and they have continued to exist ever since. The Hindus and the Muslims have been divided into

water-tight compartments and the Hindus can vote only for the Hindus and the Muslims for the Muslims. The result has been to give a great impetus to communalism. The Muslim candidate who has to depend for his support solely on his co-religionists tries to show what a fine Mussalman he is. This means that bigoted Hindus and Muslims have a better chance of being returned than others more tolerant in their outlook. Perhaps the best system for India will be joint electorates with reservation of seats. Hindus as well as Muslims will form part of the same constituency but it will be laid down that out of the total number of seats, a certain number must go to the members of the minority community. The advantage will be that instead of the candidate trying to gain the confidence of members of his community, he will have to earn the goodwill of all.

Territorial and functional representation.

The system of election here outlined is called the 'territorial' since it is the territory which forms the unit of election. A person is supposed to represent his fellow-residents. It is, however, asserted by some that he cannot really do so. Supposing that from the constituency of Saharanpur, A has been elected and that A happens to be a doctor. Then he is supposed to represent everybody in his district, landholders, schoolmasters, lawyers, weavers, etc. But how can he represent all these classes which differ so much from one another? If he can speak for any set of men at all, it is the members of his own profession and none others. It is suggested that society should be organised into

different functions and that these functional bodies should have the right of electing members for the legislature. The idea seems attractive but if something can be said in favour of functional representation, as much can be said for sticking to the existing system of territorial representation. It is certainly true that a weaver in Saharanpur has more in common with a weaver in Benares than he has with a doctor in Saharanpur. But, let us remember, it is as a weaver that he has more in common. As a person to whom the roads, the drains, the water-supply of Saharanpur are important, he has more in common with the local doctor than with the far-away fellow-weaver.

Representative and his constituency.

What is the position in which a member of the legislature stands to his voters? Should he act in accordance with their instructions or is he free to follow his own line? It may be stated as a general proposition that he should lay his views as explicitly as he can before them at the time of election and that subsequently if his views undergo a major change he is in honour bound to resign. In practice, however, considerable latitude must be allowed to legislators. They have usually more experience of politics than their electors and may be trusted to use their own judgment.

Direct democracy.

Of course the ideal thing would be to let the people themselves make the laws, i.e., a system of direct democracy. In ancient Athens and Rome the citizens frequently assembled to pass the laws, choose the magis-

trates and other officials, and to determine their relations with foreign countries. But this was possible only because Athens and Rome were tiny States. In Athens during the time of Pericles, the total population of both the sexes and all ages was about 140,000 and of these only one-eighth or about 17,000 were qualified to sit and vote in the Assembly. A normal meeting of the Assembly could have hardly filled a large public hall such as the famous Albert Hall of London. Conditions in modern times are widely different. There are a number of States whose population runs into many millions. Representative government is thus the only form of democracy which is at present practicable.

Exercise

1. Give a suitable definition of democracy and show how it differs from other forms of government.
2. Abraham Lincoln defined democracy as 'a government of the people, by the people, for the people' Mention the principles on which such a government can be organised.
3. Democracy has been defined as a way of life. State the conditions which must exist for its successful working.
4. Mention the chief arguments for and against democracy.
5. Indicate the difference between direct and indirect democracy. What are the objections to each?

PUBLIC OPINION AND PARTIES

Democracy and public opinion.

Democracy is the system of government which exists avowedly for the good of the people and where the wishes of the people must be held to be of paramount importance. In large States, it is, of course, impossible that everybody should have a direct hand in law-making or administration, but there should be the fullest opportunity for everybody to express his views on all questions of public welfare. The actual work of government must by its very nature be confined to a narrow circle of men but the essence of democracy is that these men should be guided in the formulation of their policy by the expressed wishes of the people.

How public opinion is created.

But the 'people' is a loose term. Clearly, it cannot mean each individual citizen. No government howsoever well-intentioned will be able to please every one. Moreover, many persons have no clear ideas at all on any subject. All that they are conscious of is that something is wrong somewhere but how it can be set right there is no notion. But while this is true of the majority of the people, there are some who have a critical faculty and a restless disposition, who have a sharp eye for the existing social ills and sovereign remedies for their removal. Public opinion is created by these men. The rest of the people impelled by the herd

instinct borrow their ideas and foolishly imagine that they are their own.

What public opinion is.

As there are almost always two sides to every question, it is rare that public opinion is unanimous. 'Certain sections are bound to be in favour of and the rest opposed to any fundamental change or innovation. In course of time one of these sections gathers sufficient strength to be able to speak for the people as a whole. Its opinion then rises to the dignity of public opinion. But public opinion is not merely the opinion of the majority or of the most vocal section of the community. There is another condition which it must satisfy; otherwise it remains sectional opinion. It should be inspired by a genuine regard for the well-being of the whole body of citizens and not any particular class.

Factors.

How is public opinion formed? There are many factors which intermingle to mould public opinion, the more important of which are as follows:—(1) hearsay, (2) lectures, (3) the newspapers, (4) the cinema, (5) the radio, (6) periodical literature and books, (7) schools and colleges, (8) clubs, (9) religious organisations, (10) proceedings of the legislature and (11) political parties.

Hearsay.

In India, the views which people hold on current topics are generally based on no better foundation than pure gossip. This is inevitable in a country where very few know how to read and write. If there are any sen-

sational rumours, they are eagerly devoured. No effort is made to sift the news and to test its veracity. All kinds of nonsense circulate in the market-place. Needless to mention, this should not be the way in which people form conclusions. In so far as public opinion is based on this source, it is altogether mischievous.

Public meeting.

One of the commonest as one of the oldest ways of influencing people is by means of popular lectures. Anybody may call a public meeting. He may be sure of an audience large or small for the task of listening is an easy one and attended with pleasurable excitement. In London in the well-known Hyde Park, hundreds of holiday-makers surround the popular orators on Sundays, listen to their talk and occasionally crack jokes with them. They get plenty of fun out of the business and some familiarity with the burning topics of the day.

The Press.

Far more influential than the most eloquent speakers is the newspaper press. The voice of the speaker can only reach a limited number, whereas newspapers are read by millions. They are so cheap that almost everybody can afford to buy them and they are so attractively produced—pictures, cartoons, cross-word puzzles, book reviews, sports news, interesting articles on every conceivable subject—that few can resist the temptation of buying them. In the main, newspapers are made up of two kinds of items: (1) news and (2) views. All the important happenings of the day including accounts of battles which might be fought, im-

portant announcements of policy by the Government, street accidents, gruesome murders, weather reports find a place there. But besides this, there are the comments of the editor called the editorials in which certain public events are surveyed and praise or blame apportioned. What most of the readers do is to read these notes, to assume that all that the editor says is true and to adopt his opinions. No great harm will be done if the editors were truthful and free to express their honest views. This is far from being so. Most of the papers are owned by the rich folk who alone can finance such huge undertakings and the editors are no more than their paid servants. This explains why most of the newspapers have a conservative bias and are opposed to any rapid social changes.

Sometimes, the proprietor is in addition an ambitious politician and this makes matters worse. The editorials in that case instead of being fair comments on matters of public importance become pure propaganda designed to discredit other political parties and to advance the cause of his own. These being the conditions one may ask in wonder why the newspapers should be allowed to remain in private hands. But the only alternative is to hand them over to the Government which will make the evil greater. At present newspapers perform a very useful function by criticising the policy and measures of the Government. If their publication is entrusted to it, then no news or views which show it in a bad light will have any chance of appearing. It will mean the disappearance of one of the most effective safeguards against governmental despotism. A free press is one of the essential pre-requisites of democracy.

Cinema.

The cinema is one of the most popular forms of public entertainment. Many of the films which are shown are concerned with the morals and customs of a people. They leave a profound impression on the mind. In some of the Indian pictures an old fellow trying to get married to a young girl is made to look perfectly ridiculous and anybody who sees such a picture is likely to be converted to the view that marriage between two persons of incompatible ages is undesirable. Cinema is a powerful weapon in the hands of Imperialists. They subsidise films taken of primitive people which represent them as devoid of all civilisation—naked, dancing weird dances to the tune of tom-toms, living in the midst of dangerous beasts, following magical rites—and when these pictures are exhibited in European countries, the spectators feel justified in holding such people in subjection.

Radio.

The influence of the radio is not less profound. In Europe and America, every home owns a set. It is so easy to switch on the machine and to yield oneself to its magic spell. A good part of the radio programme consists of talks on current problems and when they are given by experts who express their views frankly and fearlessly, they do a good deal to educate public opinion. In order that the radio might do its work properly, it must not be controlled by private individuals nor be a government monopoly. The evils of radio when it is only one of the propaganda departments of government were too manifest in India. Second and third rate men were

invited to give talks if they were supporters of Government, while no effort was made to enlist the services of such well-informed and zealous citizens as Pandit Jawaharlal Nehru.

Books and pamphlets.

The reading of pamphlets, periodicals and books requires greater conscious effort and is within the reach of only those who can read the printed word. A good example of pamphlets dealing with national and international problems is the Oxford Pamphlets issued during the War. Monthly magazines like the Modern Review and the Twentieth Century devote ample space to a discussion of the questions of the day. More serious students must turn to books written by experts. But the trouble is that the majority of men are content with novel-reading and do not care for books which will enable them to understand the controversies of the day and control the sources of power.

Educational institutions.

In schools, introductory subjects like reading, writing and arithmetic are taught and in addition elementary natural sciences and handicrafts in some. The subjects which are of great importance as an approach to public affairs are history and geography. In the colleges and universities, those who offer history, law, political science, philosophy and ethics are being fitted for comprehension of the contemporary world.

Clubs.

Clubs are the places where the people meet informally and interchange ideas. They exercise a subtle

influence on the minds of their members. As is notorious, the views of the Europeans in India on Indian questions were very largely shaped during the hours which they spent at their clubs.

Religion.

Religion is a factor of prime importance in India. All the questions whether they be essentially economic, social or even political are apt to acquire a religious complexion. The views of the orthodox Pandits and Moulvis carry great weight. Many admirable reforms like the removal of untouchability and widow marriage have been held up due to the fierce opposition of certain religious leaders.

Legislatures.

Legislatures are important because it is from within them that public grievances are most effectively ventilated and the attitude of the government fully discussed and criticised. Anybody who keeps himself in touch with their proceedings has an up to date knowledge of the existing conditions in the country. It is also on the floor of the house that the intentions of the government are most often declared.

Parties.

Though parties have been reserved to be taken up last, they constitute the most important single factor which fashions public opinion. They exist with the professed object of rousing the voter's interest in politics and inducing him to take a particular side on all the vital issues of the day. Active throughout the year, they are specially busy at the time of elections. Their

one aim is to convince the voter that their own programme is the best and to gain his vote. The methods employed are numerous: public meetings, personal canvassing, the circulation of propagandist literature, the creation of slogans and distribution of posters, manipulation of the newspaper press, demonstrations and the application of pressure.

Definition and origin.

But political parties are so enormously important that they deserve greater consideration. In the first place, what do political parties mean? They may be defined simply as groups of citizens who think alike on social problems and are agreed as to the methods by which their objects are to be attained. They arise quite naturally. So long as a person is free to think for himself, parties are inevitable. Freedom of thought leads to differences of views and it is these differences which split the community into different parties. There is not one cause but many which bring the parties into existence. Men differ in their temperament: some are conservative by nature, others zealous for change. In this way the foundation of two parties is laid, that of the conservative and the radical. Other sources of parties are racial, linguistic, religious and cultural differences. But the most important basis of party system is the unequal distribution of wealth. Society from the earliest times has remained divided into the rich and the poor, each plotting against the other. All the parties seek to secure control of the government with a view to putting their ideas into practice. That is the reason why parties soon develop into political parties.

Parties are strongest in the democratic system of government. Nobody can check freedom of thought. But thought is ineffective unless it is permitted to be communicated to others. In brief, what is required is freedom of expression. This freedom cannot flourish under monarchy or oligarchy, both of which hate public criticism. Whatever opposition there is has to be underground. But the very essence of democracy is that the government is carried on in accordance with the people's wishes. The people, therefore, are encouraged to organise themselves and to advocate their views for general acceptance.

Functions.

The first important function of parties is to educate the electorate. The electorate is made familiar with the pressing problems of the day by having their pros and cons fully discussed. Each party, of course, while claiming to tell the whole truth about a certain issue merely stresses the points most favourable to it. But since all the parties do so, disclosing the merits of their own programme and exaggerating the defects of rival programmes, the citizen is in the position of a judge who has heard the advocates on both the sides and knows what the true facts are. If parties did not exist, it is to be feared that a vast majority of those who go to the polls will never do so and even if they did would not vote intelligently.

The second important function is to nominate the candidates for various public offices and to secure their return. A candidate before he is elected must be known to his constituents. But it is impossible for him to

establish this contact single-handed. It is the party which does the canvassing on his behalf and is able to bring his name to the notice of every voter.

In countries where the parliamentary mode of government prevails, parties form the government. What happens is that the party which has captured most of the seats in the legislature assumes executive control. The second largest party assumes the role of the opposition and does the valuable work of subjecting the measures of government to regular and well-informed scrutiny. In the presidential type of government, where the executive is independent of the legislature, the parties perform the highly necessary function of acting as a link between the two. It may be that the two are officially separate but if they happen to belong to the same political group, ground is prepared for mutual co-operation.

Demerits.

But clear as are the advantages of the party system, its demerits are equally plain.

(1) The national interest often tends to be subordinated to the interests of the party. A member of the Muslim League is far too liable to consider himself as a Muslim rather than an Indian. He might feel that a particular policy adopted by his organisation is detrimental to India as a whole but as a strict disciplinarian, it is his duty to sacrifice the good of the country to the requirements of his party.

(2) Power inside the party is really exercised by a handful of men who are called the caucus. Thus it was widely believed that during the days of the Congress

ministries, a certain number of outstanding individuals like Sardar Vallabhbhai Patel interfered too much in provincial affairs.

(3) Men of independent views howsoever distinguished have no opportunity of serving the country, if they have a distaste for joining any particular party and being dominated by it.

(4) The legislature and sometimes public life itself becomes the battle-ground of rival factions.

(5) Measures are passed in the legislature not on their merit but with a view to capturing more votes at the next general election. They are, therefore, apt to be popular rather than beneficial.

(6) In parliamentary countries, cabinet seats can be occupied only by members of a single party. Others belonging to the minorities howsoever able must for the time being stay out.

Parties inevitable.

Parties are, however, indispensable for the working of democracy. Whatever their faults, and they are serious, it is impossible to banish them from the scene. All that can be done is to minimise their ugly features. First, too great a rigidity of discipline should be avoided. There should be room for one's loyalty to one's individual convictions. Second, parties in their dealings with one another should be inspired by a spirit of accommodation. There should be no tyranny of the majority. Even if a party has acquired control of the government, such control must be exercised with a proper regard to the total and general social interest.

Exercise

1. Define public opinion. What are the factors responsible for its formation?
2. Discuss the importance of newspapers. What are the evils associated with them?
3. Describe the channels through which public opinion expresses itself in a democratic State..
4. What is meant by political parties? What part do they play in the administration of a State and the education of its citizens?
5. Mention carefully the merits and demerits of the party system.

LOCAL SELF-GOVERNMENT

Meaning.

Local Self-government means the practice of granting local bodies like the municipalities, district boards and village panchayats power to manage affairs of local interest, e.g., education, public health, sanitation, the provision of light, water, roads, etc.

Why Local Self-government is desirable.

In every country, such a system exists and there are very good reasons for it. Firstly, this arrangement is dictated by convenience. The modern States are very large in size extending over thousands of miles of territory and comprising all manner of people. Consequently, the problems which call for solution are many and different in their nature. It is better that they should be tackled locally rather than that there should be a uniform policy rigidly applied throughout the land irrespective of local variations. It is a well-known principle that those who live on the spot understand their needs better and are more anxious to take steps to meet them than others far removed by distance. Supposing, plague breaks out in the district of Ballia, then it is the inhabitants of that district who will be more perturbed about it and keener to stamp it out than the government officials working in Delhi. The reason is fairly obvious. If the people of Ballia do not bestir themselves, they will be placing their very life in danger whereas no such consideration moves the residents of Delhi.

Efficiency.

Secondly, division of work between the central and provincial governments and further the sub-division of provinces into municipalities, district boards and village panchayats contributes to efficiency. With the growth of civilisation, life has become extraordinarily complicated and the sphere of government tremendously large. To ask the central and provincial governments to look into the minutest details of administration of every nook and corner of the country will be to saddle them with too heavy a burden. They will then have no time or energy left to attend to those matters which more particularly should engage their attention. Such matters are those which touch the essentials of government like the preservation of peace and finance. In subjects like education, public health, sanitation, etc., it is clear that while the broad principles should be laid down by them, their detailed application should be entrusted to local bodies.

Municipal trading.

Thirdly, local bodies are valuable because they are peculiarly well-fitted for the performance of certain functions which are expressed by the term, 'municipal trading'. The business of supplying commercial articles to the public is usually undertaken by private individuals or firms who naturally try to make as great a profit as they can. It has now been perceived that it is possible for a part of this kind of work to be assumed by public authorities. As they exist for the benefit of the citizens, they can afford to supply commodities and services at cost price. Now-a-days many municipalities have their own water-works and electric power-houses

Some of them supply in addition milk and butter and run trams and buses.

Political education.

But perhaps the most important argument in favour of local self-government is that it is a great instrument of political education. It is the training-ground for responsible government on a wider scale. A man first trains himself in local, municipal work for work in the larger sphere of national life. This can be easily illustrated by taking the life of Joseph Chamberlain, an eminent English statesman. He was a successful manufacturer of nails and screws in Birmingham and he made these things better than his rivals in trade. He was elected to the municipal corporation and he threw himself with vigour into the task of town improvement. Quickly, he built up his reputation as an efficient local worker and was raised to the dignity of mayor. Birmingham under him became a model city for municipal management and enterprise. He then stood for Parliament from his own city and was returned with an overwhelming majority. There he soon made his mark as a man of initiative and knowledge and was invited to become a cabinet minister. The life of Vithalbhai Patel, the first elected president of the Indian Legislative Assembly, ran on somewhat parallel lines. It was as the mayor of Bombay that he first leapt into fame though he will live in history as the fearless champion of the rights of popular assemblies. Pandit Jawahar Lal Nehru gathered valuable experience as the chairman of the Allahabad Municipal Board. Young politicians will do well to bear these instances in mind,

They should begin by improving the life of their home-town by attending to its paving, its drainage, its lighting: its general comfort and cleanliness. They should learn to rule men by assuming the leadership in municipal affairs. It is when they have become sound men of business and capable administrators that they can rightly turn their trained abilities to the service of the motherland as a whole. Undoubtedly, local work is unexciting and wearisome but it is solid and useful.

Administrative divisions.

India is divided into a number of provinces, some of them dating back to very early times and some the creation of British rule. These provinces are generally very large in size and population so that it is necessary to divide them into smaller areas. Each province is partitioned into several divisions with the commissioner as the head. The divisions are further split up into districts which form the unit of administration. Included in each district are a number of parganas or tehsils. Finally, at the bottom of the pyramid lie the countless villages.

Centralisation.

There is a high degree of centralisation in the Indian administrative system. Notwithstanding the fact that by the Act of 1935, the provinces have become self-governing to a large extent, they continue to act in certain important matters as the agents of the central government. The governors of provinces are appointed by the secretary of state for India while the commissioners, collectors and tehsildars are the nominees of the

governors and responsible to him for the performance of their duties. Thus all authority flows back into the hands of the secretary of state. The collector is the representative of the British government in the district and personifies the concentrated authority of British rule. Not only is he responsible for the collection of revenue, he is also expected to superintend the working of all the departments within his territorial jurisdiction. He has to see that the administrative machinery runs smoothly and efficiently.

De-centralisation suggested.

If it is proposed to establish real democracy in India, it can only be done by building up from below and not by imposition from above. We must start with the village panchayat which should be invested with large powers and be made truly representative of the people. A certain number of villages, say, ten may combine to form the next administrative unit called the village group council or Gram Sangh Panchayat. Its function will be to co-ordinate the work of the villages under it. A number of such village group councils will form the next higher unit which will correspond to the present tehsil. Above these will be the district councils for bunches of tehsils. In the case of towns, there will be the municipal councils. The district and municipal councils will be followed up by the divisional councils and provincial assemblies. Finally, to complete the arch, there will be a central assembly which shall be the supreme administrative and legislative body for the entire country. As for the electoral system, every adult male and female will be automatically a

member of the panchayat of his native village. For the higher councils, there will be election, each lower council electing its representatives for the one immediately above it. The village panchayat though linked up with the tehsil, district, division, province, and the whole country will form the basic unit of national administration.*

Village conditions.

"The nation in every country," said John Bright, "dwells in the cottage." There are seventy lacs of villages in India and about 90% of population lives there. But the conditions which exist in many of the villages are extremely deplorable. They are overrun by epidemic diseases such as small-pox, typhoid, dysentery, cholera and malaria. There is filth and dirt; the drinking water is unclean and there is no system of drainage whatever. We have more sickness in India than in other countries. In New Zealand only 19 persons per 1,000 of the population are ill daily; in England 30 persons; in India 84 persons. The medical facilities are almost non-existent. Out of 45,000 physicians, 35,000 reside in cities and towns so that only about 10,000 are left to look after 36 crores of people. Many of the villages lie far away from railway stations or even from pucca roads. Those indigenous industries for which India was so celebrated have either died out or are languishing. The peasants and workers are heavily in debt. As for education, it is a rare pheno-

* See the Gandhian Plan, by Syt. S. N. Agarwal.

menon to come across persons who can read and write. There was a time when the whole countryside was studded with temples and attached to every temple was a Pathshala but that was long ago. What has happened is that since the arrival of the British who confined their attention to cities and sometimes only to those quarters where the white population was housed, villages have suffered from dire neglect. The old panchayat system which was such a well-known feature of ancient India has fallen into total decay and should be revived without delay if India is to rise once again to its past glory. These panchayats will be very different from the existing ones which possess very limited powers and functions.

Panchayat functions.

The main functions of the new panchayats may be enumerated as follows:—

- (1) The allotment and collection of land revenue on behalf of the village. The zemindari system will be abolished and land will be leased out to individual farmers who actually till it and who will pay a fixed rent to the panchayat. The present rates of rent and revenue will have to be greatly reduced.
- (2) The maintenance of peace and order in the village with the help of local police.
- (3) The administration of justice in local disputes by arbitration and amicable settlement. The present system of litigation is complicated and expensive and encourages falsehood.

- (4) The organisation of basic and adult education.
- (5) The provision of medical aid by the establishment of dispensaries, cottage hospitals and maternity centres.
- (6) Sanitation and the maintenance of buildings, tanks, roads, wells and other public places.
- (7) The improvement of agriculture of the village by co-operative effort.
- (8) The regulation of village trade, industry and commerce by organising the credit and non-credit co-operative societies which will work under the supervision of the panchayats.
- (9) The making of arrangements for the co-operative purchase of raw materials and consumption goods and the co-operative sale of farm produce and articles of village handicrafts.
- (10) The encouragement of games, wrestling, and other sources of recreation.

Sources of revenue.

The following may be suggested as the sources of revenue:—

- (1) A fasli chanda, e.g., 5 seers after each plough per harvest.
- (2) Manual labour, say, 5 days' labour after each plough.
- (3) Private donations on the occasion of marriages, sacred thread ceremony, etc.

- (4) Miscellaneous receipts, e.g., arbitration fees and fines, grazing charges and other cesses for various purposes.

City problems.

The problems of the cities are somewhat different. They present the spectacle of large populations concentrated over small areas. Many of the Indian cities have grown up in a haphazard fashion without any plan or design. There are no wide and rectangular streets, no proper drains, the houses are ill-built and congested and there are no open spaces. They fall far short of the ideal which civilisation places before itself and which is 'to build beautiful cities and to live in them beautifully.' Transport difficulties are another characteristic of town life. Cities are the natural centres of industry and learning. Big cities like London, New York and Berlin are crowded with innumerable factories and educational institutions. From the point of view of health, however, villages are better than towns for one misses in the latter the fresh air of the open fields. It is, therefore, desirable to prevent a further increase in the number of towns. Secondly, towns should be better planned through Improvement Trusts keeping in view considerations of health, sanitation, recreational facilities, education, trade and industries.

Condition and functions of municipalities.

The needs of the cities are looked after by municipal boards which consist partly of nominated members but mainly of persons elected by the local residents for a short term. The city is divided into wards, each

ward returning a specified number of representatives. The board elects its own chairman and vice-chairman and a number of committees, each in charge of a major function. The functions of municipalities are classified as obligatory and optional. The first include the construction repair and maintenance of public roads and bridges; lighting, watering and cleansing of streets; stopping of public nuisances; protection against fire; regulation of dangerous or offensive trades and practices; disposal of the dead; reclamation of unhealthy localities; the construction of market places, slaughter-houses, latrines, washing-places and drains; the building of hospitals and dispensaries; primary education; prevention of epidemic diseases; famine relief and the maintenance of leper and lunatic asylums. Discretionary subjects include libraries, museums, picture galleries and music halls; public parks and gardens; education above the primary stage; construction of model houses; dairy farms; tram and bus services.

Sources of revenue.

The sources of income are several. Municipal boards are usually empowered to levy (1) a tax on buildings or lands or both, (2) a tax on vehicles, (3) an octroi duty on goods and animals, (4) water and lighting charges, (5) a sanitary tax, (6) a dog tax, etc.

District Boards.

What the municipalities do for towns, it is intended that the district boards should do for rural areas. Even when the panchayats have been established in villages, district boards will be needed to look after the

interests which are common to a group of villages, as for instance the roads which connect them. The organisation of district boards in India is almost on the same lines as that of municipal boards. They are composed mainly of representatives elected by the rural population and they transact their business through the various committees.

Functions.

The functions of the district boards are similar to those performed by the municipalities. They are the construction and repair of roads, public tanks, wells and water-works; the building of hospitals, dispensaries, markets, dharmshalas, etc.; the opening of primary schools; the planting of trees on the roadside; vaccination; sanitation; model farms and others. The principal source of income of the district board is the land cess, i.e., a small charge of an anna or two per rupee collected along with the land revenue. District boards should organise frequent fairs and exhibitions for the purpose of teaching improved methods of agriculture and popularising the products of village industries.

Criticism.

The lists of the functions given above are fairly impressive and if the municipal and district boards in India really performed half the tasks assigned to them, India will be a delightful country to live in. But the true fact is that these bodies have neither the will nor the funds to undertake many of these operations. Often those who get themselves elected care little for public interest and seek election merely for purposes of power

and profit. Local bodies have in their gift a large number of appointments and it is thus possible for the chairman and other influential members to accept illegal gratification. The construction of roads and buildings and other schemes also offer opportunities of making illicit gains. There is a paucity of funds because the members are unwilling to sanction higher taxation being afraid of the unpopularity which such a step will provoke. Local bodies exhibit a lamentable tendency of interfering with the work of their expert staff such as engineers, health and medical officers, and inspectors of schools. Their overzeal in this direction is matched by their laxity in others. A large portion of the total taxation remains unrealised and the arrears continue to swell from year to year. Caste and communal dissensions are another serious evil which mar the efficient working of these bodies. It is the fashion to move resolutions of no-confidence against the chairman because of personal or religious differences. It seems desirable that the control of the provincial government in such matters should be tightened up and that there should be stricter auditing and inspection of accounts. With the greater spread of education and a more vivid realisation of their duties both by the voters and their representatives, it may be hoped that the present evils will disappear and the foundations of democracy more securely laid.

Suggestions for improvement.

A committee which had been appointed to enquire into the working of local bodies has made the following recommendations (1) Adult franchise to eliminate cor-

ruption in elections, (2) Compulsory education through public meetings. Members should address the meetings and invite suggestions, (3) No board should have the power to remove a chairman but that its power be restricted to that of complaint to a higher authority, (4) "As regards the relations between a board and its staff we are convinced that to purify and improve the administration in local bodies, the government should secure for the board's employees the same status and conditions as it has for its own servants. Our proposal is that all the principal officers of the board, by which we mean all officers in administrative charge of the various departments should be appointed and controlled by an authority independent of the board. These officers should be provincialised and their appointments should be made by a Public Service Commission."

Exercise

1. What is meant by Local Self-Government? Mention all the arguments in its favour.
2. Show how Local Self-Government provides the necessary training for citizenship.
3. Indicate the steps which should be taken to improve the villages in India? How can the village panchayats help in the effort?
4. What are the special problems which arise in the cities? Mention in this connection the functions of municipalities.
5. Describe the composition, powers and functions of the district boards.

THE FUNCTIONS OF THE STATE

(THEORY)

State, desirable or undesirable.

At present the State is such a well-established institution and exercises so much power and prestige that we little dream that there was a time when it was non-existent. Nor can we picture a time when it might be possible to do without it. But the bolder spirits amongst us are not content to have the State as it is. They want to enquire into the nature of the State, to find out the purposes for which it exists, and to come to a conclusion on the fundamental problem whether it is a blessing or a curse.

There are three possible positions which can be taken on this issue and in fact there are writers who have expressed all the three views.

Anarchists.

In the first place there are the anarchists who consider the State to be a wholly evil institution and who advocate its abolition. It is not that they call themselves anarchists for no sane man would argue in favour of anarchy and confusion. It is a name which has been given to them by their opponents who feel that the disappearance of the State will lead to anarchy. The main argument of the anarchists is that the State is based on force and has, therefore, no moral claim to our obedience. Human beings will live far more happily and

at peace with one another if the artificial bond of the State is done away with. Men are social by nature and eager for mutual co-operation and they will of their own accord form voluntary associations to satisfy their material and moral needs. Throughout its existence, the State has identified itself with the propertied classes. If private property is an evil which it undoubtedly is, then the only way to remove it is by striking a blow at the State itself, for as long as the State endures, private property is bound to survive.

Criticism.

This is an attractive theory but one which does not seem to be practicable. It is based on the hatred and elimination of force. Nobody will hold that force is a good thing in itself. But the question is how far is it possible to banish force from society. If all human beings without exception were good and mindful of the interest of others, there will be no need to resort to force. But as long as there are criminals, there must be some agency to punish the criminals. The argument of the anarchists is that crimes are committed because of the unequal distribution of wealth; that a starving man has no option but to steal the ornaments of the wealthy merchant. But it will be going too far to say that all crimes are due to economic circumstances. So long as human nature is what it is, force will be needed and the rosy picture of a society in which there are no compulsions and restrictions is a delightful vision and no more.

Individualists.

Standing close to the anarchists though more moderate in their views are the individualists. They admit the necessity of the State but it is only grudgingly that they do so and they are not impressed with its moral grandeur. In one word, the State is to them a necessary evil. Of necessity, it has to be invested with certain powers but since these powers mean the curtailment of individual liberty, any attempts on its part to widen the sphere of its activity must be discouraged. The view of the individualists is that the State should concern itself with the work of maintaining peace and order, leaving the material and moral welfare of the community to voluntary effort. But as is obvious, this would be to confine the functions of the State within very narrow limits.

Socialists.

Socialists or to give them their appropriate name, since there are many varieties of socialism, collectivists represent the other extreme. The anarchists, as we have seen, would abolish the State altogether. The collectivists would not only maintain the State intact but very greatly add to its power and influence. Far from merely tolerating it as the individualists do, they actually welcome it as an instrument by which a vast economic and social revolution can be peacefully brought about. They condemn the present capitalist system under which land and industries are owned, not by society as a whole, as they should be, but by private individuals who accumulate enormous riches in the shape of rents and profits. If the agricultural land,

mines and factories are transferred from private hands into the hands of the Government as representative of the community, they point out, the lot of everybody will be improved, since the income from these sources could be more equitably distributed. They, therefore, stand for the abolition of private property but not of the State.

Criticism.

But State ownership and management of production is not free from serious risks. According to some thoughtful writers, it will dry up the source of social progress. Till now business men have put forth their best efforts to make things better and cheaper because of the possibility of profit. If now the work is to be done by Government employees, the profit-motive would have gone. Worse than this, people will lose their freedom. They will not be able to make things of their own choice but only those which are prescribed by Government and which will necessarily be of a uniform type. An author says, "there is an activity, and for the most part a hopefulness, in existing society which adds greatly to the enjoyment of life. But all this depends on the freedom of the individual to choose his career; and the power to choose greatly depends on the accumulation of property. In a socialistic State all this would be lost. The whole mass of living beings would be devoted to work under State agents. Can anything be conceived more monotonous than the uniformity of such a system, not to speak of its incapacity to answer to the higher wants of man, and to his privilege of shaping his life for himself."

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Conclusion.

The best thing to do will be to steer a middle course: to have State industries and private enterprise side by side. There are industries like coal which are of supreme importance to the nation and where it is easy to establish monopolies and earn huge profits. These must be nationalised. But there are other industries which are not of any vital concern to the community and the products of which the citizen is not compelled to buy, as for instance, toy-making. Here individual enterprise may be allowed to continue. Nor is it necessary that the nationalisation of the major industries should be accomplished at one blow. Indeed, it will be wiser to proceed slowly. Meanwhile, the disparity of wealth might be removed by the heavy taxation of the rich and the payment of high death duties by their heirs. Secondly, in all industries whether State or private, the workers should be given a voice in management and their wages and hours of labour fixed.

(ACTUAL)**✓ Constituent and ministrant functions.**

The functions actually performed by the modern States may be conveniently divided into (1) constituent and (2) ministrant. The constituent functions are those which must be necessarily performed by every Government for they are so important that the very existence of the State depends on them. The ministrant or optional functions are those which a State may perform or not according to its wish but which are

usually performed in a larger or smaller measure by every State.

Defence.

(1) Defence. It is perfectly obvious that every State should take steps to safeguard itself against foreign attack. For this purpose it maintains an army, a navy and an air force. At the present-time a good deal of the national income in every country is spent upon this item. The expenditure on defence in India is disproportionately high. The result is that nation-building services like education and public health do not have adequate funds at their disposal.

Foreign Affairs.

(2) Foreign affairs. Every State has to devote considerable attention to the task of maintaining friendly relations with other States. Wars might be inevitable, as some people think, but it is the path of wisdom to avoid them as far as one can. With this propose, every State keeps an ambassador in every foreign country, so that if there occur any misunderstandings, they may be cleared up in time. Unfortunately, sometimes the aim of foreign policy is not to prevent war but to provoke it by entering into alliances with other powers against a third power.

Law and Order.

(3) Law and order. Not only should the State possess external security, but there must be internal peace. The life and property of the citizens must be safe. With that end in view, every State maintains a police force, courts of law and jails.

Justice.

(4) Justice and punishment. Justice is either civil or criminal. Civil justice is concerned with the enforcement of rights. Thus if A claims property which is in the possession of B, he brings an action and if the court is satisfied it will lend him the necessary force to recover his property. The aim of criminal justice is to punish the wrong-doer.

Purposes of punishment.

There are important differences of opinion with regard to the method by which punishment can best secure its object. From this point of view, punishment can be divided into (1) retributive (2) deterrent (3) preventive and (4) reformative. The first is founded on revenge. When a person commits a crime, it is not only that he does harm to an individual but to society as a whole. Consequently, the State is entitled to have its revenge. Punishment is said to be deterrent when the aim is to strike terror into the hearts of others by punishing the wrong-doer severely and making an example of him. The purpose of preventive punishment is simply to prevent the criminal from repeating his crime by disabling him. Murderers are hanged just as the poisonous snakes are killed with a view to putting them out of the world. Reformative punishment is really no punishment at all. It is based on the belief that to a very large extent criminals are not healthy and normal persons but mentally or morally diseased. Consequently what they require is not harsh and brutal treatment but cure. Gentle care and discipline are to take the place of flogging and other cor-

poral inflictions. The repellent prisons are to be converted into comfortable dwelling-houses. There is much to be said in favour of this view.

Education.

Apart from these primary functions there are a large number of others. The conception of what the State ought to do for its citizens has continually expanded until today there are very few things which are supposed to be wholly outside the field of its operations. The foremost place among them is occupied by education. If the State wants to be progressive, to be materially well-off and to excel in the higher things of life like arts and letters, all its citizens must be educated. In ancient times education was considered to be a private affair, to be looked after by the family or religious organisations. Now, however, every State maintains schools, colleges and universities and in addition technical institutes and training colleges which are either wholly supported out of public funds or to which large grants-in-aid are made. India is educationally very backward. While Great Britain was spending before the war Rs. 32 per head of the population on education, the comparable expenditure here was 9 as. per head.

Public Health and Sanitation.

It is a matter of common knowledge how people fall sick sometimes through no fault of theirs but because they have caught the infection from others. Personal cleanliness is not enough; what is wanted is clean and healthy surroundings. Good hygienic con-

ditions are in the interest of all and this is a task which the State is particularly well-fitted to undertake. It should improve the drainage system in towns and villages, stop the breeding of malaria germs, make suitable provision for the removal of filth and build hospitals and dispensaries. The roads of the cities should be regularly swept and watered and there should be public parks and playing-grounds for the children.

Transport and Communications.

The building of public highways has been recognised as one of the duties of the Government from the earliest times. The chief title to fame of Sher Shah rests on the magnificent roads which he constructed to connect the far-flung portions of his Empire. Not only are the means of transport important from the military point of view, their economic and cultural value is immense. The development of railways in India has practically ended the famines and made the prices uniform. The post and telegraph enable commercial news to travel rapidly from one part of the country to another. Contact with other countries is established through steamships, airways, cablegrams and broadcasting stations. These enterprises cost so much money and have sometimes to be stretched over such long periods of time that the State seems best qualified to handle them.

Commerce and Industry.

All modern States try to regulate and develop commerce and industry within their borders and enter into commercial treaties with other States. For this

purpose they control currency and exchange, weights and measures, the import and export of commodities, etc. They carry out periodically economic surveys of the country and give help to promising industries. Steps are taken to improve the condition of the labourers by prescribing minimum wages and maximum hours of work, conditions in factories and mines, and compensation in the event of accidents. The interests of the farmers are protected in the same way by regulating systems of land-tenure. Irrigation projects, conservation of forests, development of fisheries are some of the matters which engage the attention of the State.

State management of industries.

Governments may enter upon business enterprises for the purpose of securing revenues or for general social reasons. The first implies the selection of certain articles of wide consumption like salt, opium, liquor, etc. A large part of the revenue of the State is derived from these sources. The primary motive behind the other is to assume control of those services which are of public importance. These are sometimes managed for profits, sometimes fees are charged to cover expenses and sometimes the service is free, the expenses being met by general taxation. Examples of Government ownership some of which are undertaken by national and others by local organs are the railways, the post and telegraph office, the telephone, the radio, gas and electricity, water-supply, etc.

Care of the poor and the unfit.

Philanthropic activity also finds a place though not at all on a scale commensurate with the magnitude of the problem. The State maintains leper and lunatic asylums, institutes for the blind and the deaf-mute, orphanages and rescue-homes, work-houses, etc. The unemployed are provided with doles.

Exercise

1. Bring out the salient features of individualism and socialism. To which school of thought do you belong?
2. Discuss the merits and demerits of socialism.
3. Describe briefly the constituent and ministrant functions which are performed by the modern State.
4. What is the end of the State? By what means does the State realise its end?
5. How far is it the duty of the State to remove poverty, disease and ignorance? Is it also the duty of the State to make men moral?
6. Enumerate the various purposes of punishment.

CHAPTER XVII

DUTIES AND RIGHTS

How duties and rights arise.

Duties and rights arise out of the fact that men have to live together in the world. Nobody can lead an isolated life. Every person stands in a certain relationship to others. The sum total of these relationships constitutes his duties and rights. What a person ought to do or abstain from doing is his duty. In this sense a person owes duties to others as well as to himself. The highest duty is the duty of self-perfection and since this cannot be attained without right conduct towards others it is thus that duties to others spring up.

Rights defined.

How can man attain his highest self? Not by selfishness and self-aggrandisement but by self-sacrifice and social service. But certain powers are necessary for the fulfilment of this task. Before he can accomplish anything in the world, he must be endowed with life and freedom. This is the reason why utmost importance has been attached to the right to life and liberty from the dawn of history. Rights are nothing more and nothing less than those social conditions which are necessary for the development of man. The end is the supreme duty of self-perfection and rights are the means for the realisation of that end.

Rights and duties equally important.

A subordinate place has been given to rights in the above discussion. It was necessary to do so in order to restore the balance in favour of duties, for what usually happens is that while everybody is quite careful about his rights he is apt to forget his duties. Duties are the services which we owe to others while rights are the services which the others owe to us and human nature being what it is, it is not strange that we should prefer the second to the first. But actually rights are as important as duties once their true significance has been grasped. Only the Sannyasi need have no rights. He has renounced them all. He has surrendered every claim and has taken up Service as his one duty. He has given his life to help the life of the world and he has no further personal claims. But suppose there is a father of a family who finds that there are thieves in the house. His duty is the protection of the household. He must remove the thieves and if it is necessary in self-defence even kill them. Rights are, therefore, powers which an individual exercises with the consent of society to control the actions of others.

Moral and legal rights.

A distinction is sometimes made between moral and legal rights. Moral rights are those which appeal to human conscience; legal rights are those which are recognised and enforced by the State. The manufacture of salt in India by private individuals is not a legal right since salt is a Government monopoly. But the people of India are too poor to pay the salt duty.

The making of salt may thus be considered a moral right as was urged by Mahatma Gandhi when he made his famous march to Dandi. Conversely, there are many rights which are legal but not moral as for instance the collection of heavy rents from the Kisans. All that is necessary for a claim to become a legal right is its recognition by the Government irrespective of the fact whether it is just or unjust.

Natural rights.

It is clear then that rights are a feature of organised society. They come into being only when men have begun to live together and when a sense of mutual obligations has taken root. In the state of Nature there could be no rights but only might for the simple reason that there was no perception of the general good. It is, therefore, false to speak of 'natural rights' as the old philosophers did. No rights existed in the state of Nature. It may, however, be permissible to use the term 'natural rights' in another sense, as meaning that without them man will not be able to realise his true nature.

Rights and duties correlative.

Rights and duties are correlative. One cannot exist without the other. Rights involve duties in a double sense. Firstly, that which is a right from the point of view of one is a duty from the point of view of another. Supposing, I own a car. My right is to drive it on the public roads and the duty of others is to give me a clear passage. Secondly, the owner of a right is himself under an obligation not to misuse his

right. I have the right of travelling in my car but not at such a reckless speed that accidents are caused. This aspect of duty needs special emphasis for the holders of rights generally think that they are free to exercise them in any manner they please irrespective of other considerations. Many of the rights which exist at the present day have no relation to service. "May I not do what I like with my own?" is very often the answer which a zemindar or a factory-owner gives when he is requested to undertake some scheme for the improvement of those he is in charge of. Yet strictly speaking such rights are not rights but privileges. For the definition of a privilege is that it is a right to which no corresponding function is attached.

Rights against the State.

An individual has rights against other individuals but the question is whether he has rights against the State. The answer will depend upon what we consider to be the true source of rights. If we believe as the lawyers do that rights are created by the State, then obviously such rights do not exist. No State will allow to the people the right to defy its own laws and regulations. But the correct view to take is that all those claims by the acknowledgement of which society benefits should be treated as rights. Recognition by society rather than by the State is the true criterion. The modern States are not perfect; instead of being concerned with the general welfare, they stand for the promotion of the interest of a few. The claims to which they accord their sanction are not those which

develop the human personality but those which are in harmony with their own purposes. If then rights are something independent of the authority of the State, it is easy to see that they can be directed against the State itself. And the attempt to do so is called rebellion.

Right to rebel.

Rebellion is of two kinds. It may be purely personal or it may be inspired by a desire for a different kind of community from that in which the rebel finds himself. This type of rebel is constructive: even if his movement leads to temporary anarchy, it is intended to give rise, in the end, to a stable society. Without rebellion, mankind will come to a standstill and injustice will be incurable. The man who refuses to obey authority has, therefore, in certain circumstances a legitimate function, provided his disobedience has motives which are social rather than personal. But disobedience should not be lightly undertaken. It is a very serious thing to disturb the foundations of social order. Certain conditions may be indicated which alone would seem to justify such a step. (1) The individual must be fully satisfied that the law which he is going to break is thoroughly obnoxious. (2) A considerable section of the community should be of the same opinion. (3) All constitutional methods for the redress of grievances should have first failed. (4) It is desirable that such rebellion should be non-violent. It is true that it cannot be proved that no good purpose can ever be achieved by force. Nevertheless, it is easy to show that force is very dangerous, and that when there is

very much of it, any original good purpose is likely to be lost sight of before the end of the struggle.

The following are some of the fundamental rights:—

(1) The right to life and liberty. The right to life is obviously the most important right for a dead man can accomplish nothing. We are all born into the world with a purpose and it should not be open to anybody to send us to heaven or hell before our time. But the body is to be prized because it is the vehicle of the higher life. The moment a man is struck down his moral evolution suddenly stops. One of the most potent arguments which are offered for the abolition of capital punishment is that it robs him at one blow of the opportunity of self-purification when he stands most in need of it. Along with the right to life goes the right to liberty. A living person, who is, however, not master of himself is little better than a caged bird. A man is a moral being which means that he is responsible for his actions and such responsibility cannot be fastened on him unless he is able to choose between competitive courses of action. It follows from it that nobody can be justly deprived of his freedom unless there is a sufficiently good reason, i.e., if he is insane or if he has committed a serious crime.

(2) The right to property. Another important right is the right to property. But what does this right precisely mean? If it is claimed that a certain amount of property is necessary for the satisfaction of the material needs of life and for the free development of personality, no possible objection can be taken to it. It is only fair that an individual should own a decent

house and should be able to surround himself with books or works of art for which he genuinely cares. But the trouble arises when he begins to accumulate wealth and use it as a source of profit and power. By doing so he reduces large masses of his kind to serfdom with nothing more than the bare necessities of life. The right to property, therefore, should mean only the right to those personal possessions without which a person cannot lead a happy and comfortable existence. It should not be used as a cover for the present iniquitous distribution of wealth under which some have too much and the rest too little.

(3) The right to economic minimum. Everybody should be provided with work and assured adequate wages. There should be no compulsory unemployment as we find existing today. Since the individuals are a product of social circumstances, it is the duty of society to see that they are not made to starve. The income besides providing for food, clothing and house-rent should leave a fair margin to cover such items as medical relief, higher education of children, the cost of excursions, etc. In India, it has been calculated, that an income of Rs. 74 per head per annum is required to secure a minimum standard of living. The present figure is roughly Rs. 18 only for rural areas.

(4) The right to education. If money is the basis of physical life, education provides the foundation of spiritual life. Without education, men are like the blind groping in the dark. Primary education should be universal, compulsory and free. For higher education, there should be plenty of scholarships for the children of the poor.

(5) The right to religious freedom. There should be freedom of conscience and religious worship. Religion is primarily a matter of beliefs and beliefs cannot be imposed from outside. Followers of one religion should not interfere with those of another and there should be no religious persecution by the State. But this right should not be used as a screen for the performance of obscene or inhuman acts. We might recall the fact that when Bentinck abolished the Suttee, eight hundred orthodox Hindus appealed to the Privy Council "on behalf of the religious rites which Lord Bentinck had stopped, contrary to the engagement of the Government not to interfere with liberty of conscience". Their plea was rejected and rightly so.

(6) The right to freedom of expression. Freedom is necessary not merely in the matter of religious beliefs but of all kinds of beliefs. We will feel uncomfortable if we are unable to express our ideas and opinions and to propagate them. There are three main arguments in favour of such freedom. (1) Without it there will be no discovery of truth. Every day we find that some of the ideas which we have long held were mistaken. A few centuries ago, the people in the West believed that the earth was fixed and it was the sun which went round and round. It was Galileo who pointed out the truth. (2) The power of speech is the peculiar privilege of man and to set bounds to it is to take away from the dignity of man. (3) Democracy is government by public discussion so that if there is no freedom of thought, of expression, of association, and of public meeting, there is no real democracy at all. Nevertheless the right to freedom of expression

can only be permitted subject to certain limitations. In the first place, people should not be allowed to make statements about others which are malicious or false and the effect of which would be to lower them in public estimation. Secondly, they must not be allowed to speak impiously of God for that will harm public morals. Thirdly, the publication of obscene literature must be forbidden. Finally, while the Government must allow the widest scope to a public discussion of its policies and measures, any attempts to overthrow it by violent means must be put down.

(7) The right to justice. This implies equality in the eye of the law. No distinctions should be made on the basis of sex, religion or nationality. The ancient law drew a sharp distinction between man and woman. According to the old Egyptian law, if a man struck the daughter of a gentleman when she was pregnant and she died, the daughter of the striker was to be put to death. Not the man himself, he it observed. The existing law of India gives a privileged position to the Europeans. But equality on paper is not enough. Justice in order to be effective must be cheap, expeditious and impartial.

Civil and political rights.

The rights so far discussed are spoken of as civil rights, i.e., rights which all citizens must possess if they are to lead a life free from worry and want. They represent the minimum. Political rights, on the other hand, mean power to participate in the functions of government. Both are desirable but perhaps the case for the former is stronger. It is easy to show that civil

rights may be possessed by all with benefit to all without endangering the community whereas a grant of political rights may under easily conceivable circumstances lead to anarchy. Nevertheless, political rights are necessary to call forth the best in man. Take, for instance, the most fundamental right, the right to vote. It is good that men should claim this right and that the Government should concede it because it is the vote alone which enables its possessor to take part in public life and to grow to his full stature. The other principal rights are to be elected to representative assemblies and to hold public offices.

Political duties.

Attached to political rights are political duties. The foremost duty of the citizen is to be loyal to the State which does so much for him. This involves the taking up of arms in its defence when there is an invasion and coming to its support in moments of internal turmoil.

Obedience to the law stands next. "To know the law and keep it" should be the boast of all good citizens. Freedom is a very desirable thing but it depends for its enjoyment on the due observance of the law. If I decide to break a law because I find it vexatious or opposed to my personal interests, others will do the same and soon no freedom will be left for anybody.

The State like any other big business requires large sums of money to meet the expenses of government. Defence, the police, the administration of justice, education etc., involve expenditure which must be paid for by members of the State. The money is realis-

ed in the shape of rates and taxes. But it is seldom that a tax-collector is received with open arms in any home. Since in democratic countries, taxes are authorised by the people's own representatives who also control their expenditure, there is no valid reason why taxation should be looked upon with disfavour. But when was mankind guided by reason? To get something for nothing seems to be more in accordance with human nature.

Of equal importance with the right to vote is the duty to vote. Experience shows that while in all countries there is a clamour for this right, once it is granted many do not care to use it. They find it a great bother to go to the polling booths. This is an attitude of mind which deserves the severest censure. If the good citizens out of sheer laziness will not vote for the best candidates, others with selfish motives will elect representatives suited to their own purpose.

In democratic countries, there are a number of unpaid offices like membership of the district and municipal boards and jury service. Such duties are often onerous and they may entail at times sacrifice in time and money. It should, however, be considered an honour to occupy these offices and the citizens should be willing to accept them cheerfully.

Exercise

1. Give a suitable definition of rights and emphasize their importance.
2. Show by giving examples how rights and duties are correlative.

3. How do you distinguish between civil and political rights? Give some instances of each.

4. How do legal rights differ from moral rights? Is the right to property a legal or a moral right?

5. 'The weak alone have rights : the strong have only duties.' Bring out the significance of this remark.

6. In what sense can rights be said to be natural? Will you regard the following as natural rights :—

- (1) the right to life, (2) the right to freedom of expression and
- (3) the right to drink.

7. Write a brief essay on the 'Duty of Disobedience'.

NATIONALISM, IMPERIALISM AND INTERNATIONALISM

What nationalism means.

One of the most important facts of contemporary life is the division of the world into different nations. Whatever the future of mankind might be, there is little doubt that at present the associative impulse of man seems to have stopped with the growth of the nation. He is willing and indeed eager to subordinate himself to it and even to die for it, if need be, but beyond it he cannot see. But let us recall once again what a nation is. A nation is a numerous and homogeneous group, permanently occupying a geographical area. It has its own distinctive culture and civilisation, language and literature, legal laws and moral codes, history and traditions, aptitudes and ambitions. In short, it has its own characteristic outlook on life. And nationalism is the tie which unites the individual to the nation.

How it arises.

To some extent nationalism is quite a natural phenomenon. It has its roots in the patriotic sentiment, in one's love for the social group of which one is a member and which is attached to the soil, one calls one's home. It involves a desire to promote its welfare and a heartfelt wish that it may prosper both in the present as well as in the future. This desire is the out-

come of a number of sentiments: of men's affection for the people among whom they live; of attachment to the places where they were born and where they have spent the days of their childhood and youth; of devotion to their race and language, and to the traditions, customs, laws and institutions of the society in the bosom of which they were nourished and to which they feel that they belong.

Merits.

As such it has a number of virtues. It lifts up the individual to a higher plane. No longer does he look upon himself as the final end of life. He begins to regard the nation as the whole of which he is a mere part. Writers of classical antiquity repeatedly give expression to the idea that man is not born for himself alone, but should assist his fellowmen to the best of his ability. Demosthenes, one of the greatest orators of all times, speaking of the Athenians of his day said that they were willing to die for their country rather than to see it enslaved.

The other benefits of nationalism may be briefly reviewed. One of its principal implications has been that every nation should be permitted to form a separate State. Freedom from outside control is essential if a nation which by its very definition is different from similar other groups is to pursue its own ideals and its distinctive way of life. This has meant the recognition of the principle of autonomy, of the right of a little people like the Belgians to self-determination and has exposed the fundamental injustice of all Imperial domination and exploitation.

It has proved a powerful stimulus to art and literature providing to the poet, the musician, the painter and the sculptor great and noble themes. It is a notable fact that with the rise of nationalism in India there has occurred a revival of Indian poetry. It also by instituting a healthy rivalry among the nations did much for the material advancement of the people through the adoption of such means as the railways, large irrigation works, etc. Above all, it has inspired countless men to deeds of self-sacrifice and valour which give an indication of man's dauntless courage and of the heights to which he can raise himself. Now that he has been taught to subordinate his instincts and activities to the interests of the State, the hope might be indulged that a nobler cause, that of internationalism, will be able to enlist his sympathy and support. As some say, nationalism is the necessary gateway to internationalism.

Demerits.

But nationalism is of two kinds, social and anti-social. The first is the preferential attachment to one's country and its landscape, to its history, literature, customs, dress, food, etc., when such a sentiment is in harmony with the requirements of the world. Just as the individual is not suppressed by the family nor the family by the municipality so also nationalism may exist side by side with the larger interests of humanity. It is natural and legitimate for a person to take special interest in the region and the people closest to him by reason of the geographical situation and the community of language. It is even conceivable that

the best service he can render to mankind is by serving his fellow-countrymen whose needs he understands and who is trusted by them. But there is also the other kind, the unnatural and anti-social nationalism, which induces a narrow outlook and a perverted sense of values. When nationalism adopts this form, it does incalculable mischief. The nation develops an exaggerated notion of its own importance and a corresponding contempt for other nations. It begins to tyrannize over the smaller nationalities or alien races within the territory. Who can forget the persecution of the Jews by the Hitlerite Germany? It is impatient to assert itself at the expense of foreign nations. The stage is set for prolonged and bloody wars. To the wild nationalist all this is true patriotism; love of country stands for him for love of more country.

Definition and causes of Imperialism.

But when this happens, nationalism has ceased to be true to its nature and has assumed the grosser form of Imperialism. One of the shortest definitions of Imperialism is "the rule of many States by one for its own advantage and glory." Imperialism has several causes. From the beginning, one of the ambitions of powerful peoples has been to subjugate their weaker neighbours and to annex their territory. The love of conquest for its own sake has proved to be an irresistible attraction. This tribal instinct has survived to our own day. The attack on Abyssinia by Mussolini was mainly actuated by the lust of conquest and military glory, although it may be doubted whether the defeat of a foe so utterly weak could bring

any credit. "I was disgusted," wrote a foreign correspondent to the Press who witnessed the war, "by the prospect of watching the aggression of a nation with all the modern resources for slaughter upon an ignorant, backward, comparatively defence-people."

Surplus population.

Another consideration might be to occupy parts of the world in order to find an outlet for the surplus population. Young and vigorous nations like the Japanese condemned to live in a country of small dimensions are always on the look-out for scraps of territory belonging to others which might be easily secured by force of arms.

Surplus produce.

The most important cause of modern Imperialism is, however, the search for markets. One of the necessary features of capitalism is the production of more and more goods but since all of these cannot be consumed by the home country, need is felt for the control of other people who after being vanquished are forced to buy the products of their conquerors. The hideous war of 1914-18 was at bottom a fight between the capitalists of England, France and Italy on the one side and those of Germany on the other for the command of the African markets.

Religious missions.

Sometimes it is the missionary zeal which opens the way for Imperialism. Men are obsessed with the idea that their own religion is the only true one and the

sure passport to heaven. The others having different religious beliefs are regarded as deluded beings whose souls must be saved by their conversion to the true faith. This was the call which took David Livingstone to the darkest parts of Africa. But what happens is that at the heel of the missionary follows the trader. A negro is said to have regretfully observed, "Before the white men came, we had the land and they had the Bible; now we have the Bible and they have the land." The process is completed by the businessmen calling in the aid of the military to consolidate their position.

Spread of culture.

Sometimes, contact is established with the primitive people to give them the benefits of a superior civilisation. They are regarded as backward and akin to brutes. No real effort is made to understand the workings of their mind or to catch the significance of their institutions. The result of such contact, therefore, is not to improve them but to demoralise them. Among the North American Indians, for instance, there was more goodwill, hospitality and charity towards one another before the arrival of the Europeans than afterwards. They became false, suspicious, avaricious and hard-hearted. A writer has said, "Search modern history, in the North and South, and East and West, the story is the same—we come, we civilise and we corrupt or exterminate."

Demerits of Imperialism.

It should be clear, therefore, that Imperialism has a number of faults and that the sooner it is ended

the better it will be for humanity. What it means in actual practice is the exploitation of weak and defenceless people, racial antagonism, the manufacture of armaments and poison gas and the harrowing prospect of interminable wars, each more ferocious than the last. Not only is the system bad from the point of view of the conquered people, the Imperial power itself suffers. It makes its members selfish and arrogant who having developed these vices in their intercourse with the natives are disposed to use them against one another

Merit.

Perhaps there is one merit which Imperialism might claim. By bringing together large portions of the earth's surface and giving them a uniformity of laws and administration, it has brought about unity. But this unity has been to a large extent purely artificial and so also the peace which its strong arm has imposed.

Arguments for Internationalism.

The need of the hour is that Imperialism should be replaced by internationalism. Instead of a few great powers holding the weaker ones in subjection, there should be a world organisation in which all the nations of the world, big and small, could be freely associated on the basis of equality. No longer is it possible for the nations to live in isolation. The world is one geographically, economically and culturally. Modern scientific inventions like the railways, steamships and airships have annihilated distance. A number of eco-

nomio bonds have sprung up which join the people of one nationality with those of another. An orange merchant of London is not so much interested in his immediate neighbourhood as in the far-away Brazil whence his supply of oranges comes. The recent war between England and Japan resulted in the Bengal famine in which millions of lives were lost. Culturally also, a process of give-and-take is eternally proceeding. The literature and art of one country are imperceptibly but nonetheless surely being influenced by the literature and art of other countries. Ideas, said Hegel, have arms and legs

Three possible forms.

It is thus not at all necessary to make out a case for world co-operation. But co-operation cannot be effective without a suitable organisation. The great question, therefore, is what sort of international organisation should be set up. Three possible forms might be suggested (1) the league system (2) the world security council system and (3) the federal system.

League of Nations.

The first was tried at the end of the war of 1914-18. A League of Nations was founded whose membership was open to all the sovereign States. On entering the League, they had to sign a covenant by which they undertook to promote international co-operation and to achieve international peace and security by the pledge not to resort to war but to settle their differences in accordance with international law and the existing treaties. The principal organ of the League

was the Council on which the great powers were represented. Though the League achieved much outstanding success in the social and economic sphere, it failed miserably in its handling of the political situation. Several causes were responsible for its failure.

(1) The League was dominated by the great powers which themselves had Imperialistic designs. Thus the League looked on while Japan pursued its policy of aggression against China, and Italy waged an unprovoked war against Abyssinia. (2) The League was not empowered to take any action by itself. All its decisions had to be referred for their ratification to the Governments of the countries who were members of the League. This, it must be remembered, had to be done because the States had not parted with sovereignty even after their admission to the League. (3) The League had no military force of its own which it could put on the field against a power which had defied its authority.

The U. N. O.

The second world war completely extinguished the League of Nations which has now been replaced by the United Nations Organisation. Its most important organ is the Security Council consisting of amongst others the U.S.A., Britain, the Soviet Union, China and France. The main responsibility for the preservation of peace will fall upon this body which will have at its disposal an international force. It may, however, be urged that the Great Powers represented on the Security Council have diverse and conflicting interests and supposing they fell out amongst themselves, the peace

of the world would be disturbed again. On the other hand, if they decided to combine and act in unison, nothing could prevent the exploitation of the weaker nations.

World-federation the only solution.

The only proper solution seems to be a real federation of the world on the model of the United States of America. The failure of the League of Nations has clearly demonstrated that so long as the States are allowed to remain sovereign, they cannot be trusted to avoid aggression. So long as each separate nation claims the right of not only being internally free but qualified to make its voice prevail in international affairs, the days of insecurity and strife will not be over. This federation will be a combination of autonomous States. To the federal government will be transferred the control over all those matters that concern mankind as a whole—communications, public health, industry and commerce, international migration, problems of racial and national minorities and of the territorial limits of individual States. At the same time fullest freedom will be retained by the national governments in matters of local interest. But the creation of the new federation will have to be accompanied by universal disarmament. The right to keep an army sufficient to overawe any turbulent power or any combination of such powers will belong exclusively to it. No nation singly can be trusted with the possession of arms. For where there is power to strike, there will also be the temptation to strike.

Exercise

1. Briefly explain what is meant by nationalism. What are its virtues and vices?
2. Is it true to say that nationalism leads to Imperialism?
3. Discuss the causes which have given rise to Imperialism. Is it a beneficial system?
4. What are the arguments in favour of world co-operation? On what lines should an international organization be set up?

CHAPTER XIX

CITIZENSHIP

Citizen and alien.

There are two senses in which the word 'citizen' is used. It means in the first place a member of an organised community possessing rights and owing duties. A citizen is a moral being and the answer to the question, "who is the true citizen?" will be to enumerate the moral qualities which a citizen must have in order to deserve the name. But the word is also used in a narrower and legal sense. There are two kinds of elements which compose the population of a State, citizens and aliens. The former are persons who not only reside within the territory of the State but owe allegiance to it. They enjoy its protection while at home or even when they happen to be in a foreign country and they are liable to certain duties including military service. In return, they are accorded certain rights and privileges, the most noteworthy of which is the right to take part in government. On the other hand, aliens have the title of residence only. Usually, they enjoy the same civil rights as are open to the citizens, i.e., the State undertakes to safeguard their person and property but political rights are denied to them. They cannot take part in the elections nor hold public offices.

Natural born and naturalised citizens.

The rules by which citizenship is acquired or lost are different for different countries but we might take

Great Britain for purposes of illustration. Anybody who happens to be born on British soil though of alien parents is a British citizen. Curiously, such children too as are born outside the country provided that their parents are of British nationality are treated as British citizens. Apart from birth, there is another way called 'naturalisation' in which citizenship can be secured. In this case, an alien applies to the Home Secretary for naturalisation. He has to answer a number of questions and to present certificates of good character from citizens who testify on oath to his standing. He must have resided in the country for at least five years. A request is published in the Press for any information about him and the Home Secretary makes his own enquiries. After a due interval, a decision is taken on the application.

Citizenship: how acquired and lost.

A person can be a citizen of only one State at one and the same time. Thus if a person becomes naturalised, he ceases to be a national of the country of his birth. The citizenship of women is determined by that of their husbands. If a person is born in a country where the rule is that all those born within its territory become its citizens and if his parents belong to another country where the rule is that its citizens carry their nationality abroad, he must decide on attaining majority which citizenship to assume. Supposing that Jean is the son of a French couple living in London he must decide when he is twentyone whether to become a British or French citizen. Citizenship is lost through naturalisation, marriage in the case of women, as a

penalty for some grave offence like treason or by accepting service in a foreign State.

Qualities of a good citizen.

It is however, not the technical meaning of the word "citizen," which is important. What is of far greater significance is the qualities which the citizens of a State must possess if the purposes for which it has come into being are to be fulfilled. It is necessary to urge this point for the State is what its citizens make it and the life of the State is only a reflection of the qualities of its individual members. These virtues are truth, intelligence, knowledge, discernment, industry, courage, selflessness, sympathy, good temper, modesty and loyalty. In order, however, that these qualities may be freely developed, it is necessary to root out certain evils which act as hindrances to good citizenship. The main obstacles in India are ignorance, poverty, indolence, self interest, communalism and party spirit.

Hindrances to good citizenship.

Eighty-eight per cent of the people are illiterate. In the advanced countries of the world more than eighty per cent are literate. Poverty itself is traceable to this cause. An author says, "Extreme forms of poverty will prevail amongst the masses in India so long as the overwhelming majority of the Indian people are able neither to read nor write." The annual income per head of the population in India is Rs. 65; in England Rs. 1,000. Indolence is a most common fault. Climate and centuries of undemocratic rule have combined to produce a mentality which takes things for

granted and considers the individual too small and insignificant to be able to alter the settled course of events.

Personal interest is a weakness from which no people in the world are wholly free. But the force of tradition and public opinion is generally powerful enough to hold it in check. In India, however, this vice is plainly noticeable and the proceedings of the municipal and district boards reveal the extent to which public ends can be subordinated to private gain. In addition to this, there is the canker of communalism which has in recent years entered into social and political work. Every question howsoever remote its connection with religion might be is given a religious twist and thus prevented from being dispassionately examined on merits. More than this, it is used as an instrument for exciting religious fanaticism and breaking up the unity of the country. The infusion of party spirit may have a similar effect. A party is a useful, perhaps an indispensable method of democratic government, but when the public good is sacrificed to the demands of a party, the community suffers as a whole.

Final lesson of Civics.

And yet the community must always come first. If Civics has any lesson to teach, it is this: that while the goal of life is the attainment of happiness by the individuals, such happiness can only be secured in conjunction with others never at their cost. Society is interdependent. Just as a piece of stone thrown into a pond starts up waves which move in ever-widening circles right up to the four sides of the pond so in what

ever a man does he affects his fellow-beings for good or evil. And society includes the entire world. No nobler words have been uttered than those enshrined in the famous Sanskrit stanza :

Only base minds reckon whether one be kin or
stranger,
Men of noble conduct take the whole world for
their home.

Exercise

1. Distinguish between a citizen and an alien. How is citizenship acquired and lost?
2. What are the qualities which a true citizen should possess? Discuss some of the hindrances to good citizenship existing in India.
3. What do you regard as the final lesson of civics?

THE END

